



*Letters & Mem^o re
 Minutes of Council
 Kings College
 1839-1843*

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Letters, Memoranda, &c., of King's College Council, Toronto.

From Sir Government House, 27th July, 1839.
J. B. Harrison Esq. By command of the Lieut Governor I have the honor to
Priv. Sec. to His Ex. inform you, that His Excellency has selected D Boys as the
submitted to Council gentleman, who is to fill the office of Bursar & Registrar
31st July 1839.
see Minutes p. 99.
Ans. 29 July 1839.
see below.

His Excellency has further desired me to say, D Boys's appointment will not at present be gazetted; but that upon His Excellency's return, (by which time D Boys will be provided with the necessary securities) the appointment can be notified in the gazette.

His Excellency on this occasion has directed me to express to you his warm thanks for the very efficient assistance you have rendered to the Public service, during the time you have charged yourself with the duties of the office in question. I have the honor &c.

The Honble. J. S. Macaulay &c. &c. &c.

(signed) J. B. Harrison

To Sir, King's College Office, Toronto, 29th July 1839.
J. B. Harrison Esq. I have the honor to acknowledge the receipt of your
Civil & Priv. Sec. letter of the 27th inst. announcing His Excellency's selection of D Boys as the gentleman who is to fill the office of Bursar & Registrar of King's College.
The expression of His Excellency's thanks contained in your letter, is to me the more gratifying from the conviction it affords, that His Excellency has been fully sensible of the painful nature of the duty I have been called on to perform.
J. B. Harrison, Esq. Civil & Priv. Sec. I have &c. (signed) J. S. Macaulay.

From Sir, Davenport, 10th August, 1839.
Colonel Wells. I have the honor to request you will represent to the
submitted to Council Council of King's College at its next meeting, that while Bursar
20th Aug. 1839.
see Minutes p. 112.
Ans. 4th Sept. 1839.
see p. 4.
of that Institution I received at sundry times a few forged and un-current Bank notes which I herewith transmit, and I trust the Council will take the same into favorable consideration.

and give the necessary authority for the amount (as per annexed list, nine pounds) to be placed to my credit.

I further request of the Council that they will be pleased to give Direction that my salary as late Registrar & Bursar from the 1st July to the period of my dismissal from those offices, may be in like manner placed to my credit, or be paid to me, as the Council may deem most expedient.

D^r Boys,

Registrar & Bursar of King's College.

I have &c

(signed) Jos. Wells.

Toom

Sir,

Toronto, August 21st 1839.

C. H. Hagerman, Esq.

I have the honor to enclose you, two communications which I received yesterday from Mr Barber, and beg to suggest submitted to Council that a meeting of the King's College Council should be summoned 20th August 1839. for the purpose of taking them into consideration. See Minutes, p. 113.

Ans. 5th Sept. 1839.

I have, &c

The Bursar of King's College.

(signed) C. H. Hagerman

Enclosure, to Mr Hagerman's letter.

Toronto, Upper Canada, Aug^t 19th 1839.

To the President & Council of King's College,

Gentlemen,

I beg to bring under your consideration the following particulars, viz^t:

1^o That the remuneration I have received as College Collector (a little more than £30. P.A.) has been insufficient to pay the labour attendant on the making out accounts quarterly for more than a hundred boys, with the subsidiary duties, and to protect from errors & losses unavoidable in an office, where having no regular hours, the holder is expected to make good in the gaps, sums charged & collected in detail:—and is much below the allowance made by other public bodies to persons similarly employed:—I therefore respectfully pray that the percentage on sums received may be increased to 5 per Cent.

2^o That I have made no charge on the amount disbursed.—It is evident that in disbursements additional time & trouble are required, and an increased risk incurred:—I therefore pray that 5 per cent may be allowed me on the amount disbursed.

3^o That until by transfer from the college, the supply of books and stationery to the pupils became a part of Mr Rowsell's ordinary

business, I discharged the same duties (without receiving any equivalent for my labours) for which of course he is paid by the proceeds of his sales:— I made a representation some time since on this subject, but no proceedings were had thereon by the Council. I now beg to renew my application, and pray, that an allowance may be made me for the time I performed this service.

4th That it is I believe customary for a collector to close his accounts himself; and that a reasonable extension of time is granted him for that purpose:— perhaps considering the acknowledged deficiency in mine, I had no reason to expect this should be permitted me. — yet it seems but reasonable that, as up to the time of my resigning the office of collector, I had borne all the labour, (and the accounts in arrears obviously would give the most trouble.) I ought not to lose all the remuneration:— I therefore pray that a commission, say of 2½ or 3 percent may be allowed me in the amount of balances outstanding.

5th That some time ago I applied to the Council for an allowance for House-rent. I learned demi-officially, that my application had been favorably considered and would have been acted upon at once had my accounts at that time been ready for the Purse:— I therefore pray this matter may be referred back to and that I may still enjoy the advantages intended at that time.

6th That in removing me from my situation in the College as Writing Master, in which I had faithfully & efficiently laboured for many years, because my accounts as College Collector were in arrears, the Council, I am satisfied, acted upon the broad grounds of discharging a public trust:— and I hope that I neither intrench upon their prerogative nor am wanting in proper deference to their decision in saying that I feel my dismissal most acutely:— & rather summarily, and in a country remote from his relations & friends, deprived of the means of maintaining his family, who but for the kindness of others, would now be wholly destitute, may be pardoned for thinking his punishment hard to be borne:— and I cannot refrain indulging the hope that the Council would not remove from office, a master of so long standing (3 years in the Royal Grammar School, & 10 in Upper Canada College) at a moment's notice, and leave him almost destitute of funds:— a private

individual would not dismiss his servant - a Merchant his clerk - without some consideration for past services - and for his future prospects - I most respectfully pray that under the circumstances a half years salary may be allowed me on leaving College. And lastly, that any or all of the allowances I have prayed for, are to be placed to the credit of my account as Collector with the College. I am Mr President & Gentlemen Sir

(Signed) Geo. Aub. Barber.

To Sir, King's College Office, Toronto, 4 Sept: 1839.
T. C. Patrick Esq. Accountant. I beg to communicate to you a resolution of the Council of King's College at their last meeting on the 28th Ult^o.
I am, Sir W. Boyl, Registrar R. C.
see the Resolution in Minutes of Council, p. 120.
"The Council considering by the Committee"

To Sir, King's College Office, Toronto, 4th Sept: 1839.
Colonel Wells see p. 1. I have the honor to inform you that your letter of the 10th Ult^o was brought under the consideration of the Council of this College at their last meeting, on the 28th Ult^o, and that they made the following resolutions thereon.
see minutes of Council p. 112.
"The Council then took to his credit as applied for."
I beg to enclose back the notes themselves, & have the honor to be
(signed) W. Boyl, Registrar R. C.

To Sir, King's College Office, Toronto 19th Oct: 1839.
The Attorney General I am directed by the Council of King's College to enclose you an extract from their proceedings at their meeting on the 25th Ult^o.
Should you require any further particulars to enable you to make out the bonds I shall be happy to supply them I have &c
(signed) W. Boyl R. C. R. C.

To Sir, King's College Office, Toronto, 5th Sept: 1839.
S. B. Harrison Esq. Private Sec. I am directed to communicate to you for the information of His Excellency the Lieutenant Governor the enclosed extract from the proceedings of the Council of King's College in reference to the letter of the Rev. C. Matthews preferring his claim to advancement, which had been referred to this Council for their Report thereon. And they

to return you enclosed Mr Mathews' letter. I have seen H.B. Reg^r H.C.
 Extract from the minutes of King's College Council at their meeting on
 28th August 1839 - see Minute book, p. 112.

"that the Council if it be your Excellency's pleasure."

a true extract (signed) H.B. Reg^r H.C.

To Sir, K.C.O.T. 5th Sept. 1839.

C. A. Hagerman Esq^r In reference to your letter of the 21st Ult^o conveying two
 Attorney General communications from Mr Barber, late Collector for the Upper
 Canada College, I am directed to communicate to you for
 Mr Barber's information, the enclosed extract from the proceedings
 of the College Council on the 28th Ult^o. I have seen
 C. A. Hagerman, Esq^r, Att^r Gen^l. H.B. Reg^r H.C.

see Min. of Council
 p. 113.

Extract from the minutes of King's College Council at their meeting
 on the 28th August 1839 - see Minute book p. 113.

"The Council then took present incumbrances."

a true extract (signed) H.B. Reg^r H.C.

To Sir, K.C.O.T. 5th Sept. 1839.

J.B. Harrison Esq^r I am directed to communicate to you for the information
 Private Sec^y of His Excellency the Lieutenant Governor the enclosed extract
 from the proceedings of the Council of King's College in reference
 to your letter of the 27th July last & 28th Ult^o upon the subject of
 my appointment as Registrar & Bursar to King's College.

J.B. Harrison Esq^r I have seen (signed) H.B. Reg^r H.C.

Extract from the Minutes of King's College Council at their meeting
 on the 28th August, 1839 - see Minute Book p. 110 & 111

"The Resolutions proposed be regularly submitted & passed."

a true extract (signed) H.B. Reg^r H.C.

To Sir, K.C.O.T. 22nd August, 1839.

J.B. Harrison Esq^r I have the honor to request you will convey to His Excellency
 the Lieut Governor the accompanying extract from the minutes of the
 Council of King's College, at their meeting on the 31st Ult^o which extract
 His Excellency desired me to send him immediately. I have seen
 J.B. Harrison Esq^r. H.B. Bursar H.C.

N.B. The extract consisted of the Solicitor General's resolutions, and
 every thing relating to them contained in p.p. 99-102 Council Minute Book.

To

Sir,

Toronto, 2^d August, 1839.

Dr Lucius O'Brien

With reference to the letter of the Hon^{ble} J. S. Macaulay
 Sec^y Coll. Phys. & Surg. Toronto addressed to you on the 28th Ult^o I have the honor by direction of the
 Council of King's College, to request you will communicate to
 the President of the College of Physicians & Surgeons the enclosed
 copy of the Report of the Committee referred to in Mr Macaulay's
 letter which Report has been adopted by the King's College Council.
 Dr L. O'Brien. I have &c H.B. Sec^y K.C.

From

My dear Sir,

Government House, 9 September, 1839.

J. B. Harrison, Esq.

Private Sec^y &c

I have taken the views of the Lieut Governor upon
 the question as to the proper course to be adopted by you as
 Bursar of King's College upon matters referred to the Council.
 His Excellency thinks the proper course is the one you have
 adopted of transmitting the minutes of the Council to me
 to communicate with the parties applying. You will therefore
 have the goodness to pursue that course in future. I am &c.
 J^o Byrns, Sec^y &c &c &c. (signed) J. B. Harrison.

To

Sir,

K. C. O. T. 1st October 1839.

J. B. Harrison, Esq.

Private Sec^y &c

I have the honor to enclose the minutes of the
 Council of King's College at their last meeting held on Wednesday
 the 25th Ult^o and have to request you will submit them to
 His Excellency the Lieut Governor for his approbation
 I have &c. H.B. Sec^y K.C.

From

My dear Sir,

Government House, 10th Oct. 1839.

J. B. Harrison, Esq.

Private Sec^y &c

Enclosed I beg to hand to you the minutes of the
 last Council of King's College approved of by the Chancellor.
 J^o Byrns Sec^y &c I am &c (signed) J. B. Harrison.

To

Sir,

K. C. O. T. 21st Oct 1839.

J. M. Strachan Esq.

See Minutes of Council
 25th Sept 1839. p. 121.

I am directed to transmit to you the following
 extract from the minutes of the Council of King's College
 at their meeting on the 25th Ult^o.

"An application from J. M. Strachan Esq" full-
 meeting of Council."

I shall therefore hereafter have the honor of addressing
 you again on this subject. I have &c

H.B. Sec^y K.C.

To Sir, N. C. O. T. 21st Oct. 1859.

I have not been enabled earlier to communicate with you on the subject of your letter of the 6th Ult^o; I now beg leave to inform you that your said letter & its enclosure were submitted to the Council of this College on the 25th Ult^o and were referred by the Council to the Committee that was appointed to consider your former communication. As soon as the Committee make their report I shall have the honor of addressing you again on this subject. I have &c

D^r O'Brien, Sec^y &c - W. B. Burser, H. C.

Dr. O'Brien's letter of 6th Ult^o submitted to Council on 25th Ult^o see minutes p. 124

From Dear Sir, Ontario House, Friday the 30th August, 1859.

Mr J. C. Patrick

I hope the observations made the other day regarding my remuneration were not considered as the language of complaint: that I utterly disclaim. On the contrary I entertain a due sense of my obligations and I attribute to the want of better acquaintance with the services rendered and the qualifications requisite for their performance the low estimate which has been fixed upon them by the majority of the Council.

The investigation was important & confidential. the accounts voluminous and in utter disorder; requiring experience, skill, intelligence, patience, perseverance and diligence to unravel & arrange; and it is erroneous to suppose that the information required could have been drawn forth by an ordinary clerk or book-keeper - of such persons the city of London and possibly the city of Toronto, abounds. Yet the knowledge & Diligence intelligence constituting the professional accountant are found in so few, that their services in England are in demand, and receive a proportionate remuneration. - The raising the accounts for King's College & Upper Canada College which I have raised, would have been required there with three guineas per day, whilst here 20/- R. C. equal to about 6/- H. is only allowed me. Still I beg to be understood as not complaining, I only ask the day to be measured according to the ordinary business hours of the public offices and Banks, and that I should be paid as all professional accountants are for the number of hours actually engaged. With great respect, I have the honor to be

The Hon^{ble} Col. Macaulay. (signed) J. C. Patrick.

submitted to Council 25th Oct. 1859 - see m. p. 131.

continued

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Enclosure to Mr Patrick's letter.

The Committee of King's College Council.

To T. C. Patrick

1839

Aug. 28. For his services, skill & intelligence
as an accountant since the 9th of
May last, both days inclusive,
engaged in the whole 62 1/2 hours
= 124 1/2 days.

124 1/2 days @ 20/- £ 124 .. 5 .. 0

Cash the 26th June 50 .. 0 .. 0

Balance 74 .. 5 .. 0

Received in full,

(signed) T. C. Patrick

Toronto the 29 Aug. 1839

From

K. C. O. T. 25th September 1839.

Dr Boys

To the Council of the University of King's College, Toronto.

Registrar & Bursar &c. Gentlemen,

In compliance with your desire that I should
examine the Report of Mr Patrick which accompanied the
second Report of your Committee on the state of the accounts
of the late Bursar, I have the honor to state, that having
considered that Report with attention, I believe the system
for keeping the accounts of this office, proposed by Mr Patrick,
to be one that will insure correctness and at the same time
exhibit every object you could wish to see brought out in an
account of that nature. There are in it, however, some
trifling details which I think might be altered with advantage
which, on discussing them with him, can be adopted or not,
as he may think advisable.

Your Committee as well as Mr Patrick, point
out a great deal of business to be done in this office, which
evidently cannot be accomplished with the present
establishment, and your Committee advise that the
establishment should be increased. Believing that you will
see the necessity of adopting this recommendation, I hope you
will permit me to press the immediate appointment of
another clerk to supply the vacancy made by the retirement of
Mr Midgley and I will venture to submit, the great advantage

that would be derived to this office if you could engage Mr Patrick's services for a permanency: - His abilities are of the peculiar nature you require, and, with his aid, I have no doubt but the strength of the department would be equal to the business before us.

On this occasion I must in justice to the present clerk, Mr Henry Hawkins, recommend him to your consideration for advancement in the office - He has been seven years attached to this establishment - He is recommended to me as being a young man of excellent moral character; - and from my own experience of his abilities & of his knowledge of all the transactions of the office, extending so many years back, I find him invaluable as a clerk. I would recommend that he should be placed in Mr Ridout's situation and be called the Senior clerk of the establishment and have the same salary as Mr Ridout had, namely £150 a year, which is less than the lowest salary given to any established clerk in any of the public offices.

I beg also to point out that a messenger to the office who besides performing the usual duties of a messenger would light the fires & cut & carry the wood, and do all other menial duties about the office, is immediately much wanted.

I have &c

(Signed) H. B. Pausan, K.C.

To

Sir,

H. C. O. T. 24th Oct. 1859.

S. B. Harrison Esq.

Private Secy. &

I am directed to communicate to you for the information of His Excellency the Lieut Governor, in reference to your letter of the 17th Ult. regarding the Council of King's College with His Excellency's nomination of Mr Thompson and Mr Hamilton to be tutors in the Upper Canada College, the following extract from the proceedings of the Council at their meeting on the 25th Ult. when your said letter was submitted to them. "That the Registrar... by the College Council."

see Minutes of Council
p. 129.

I have &c H. B. Reg. K. C.

To

Sir,

H. C. O. T. 26th Oct. 1859.

S. B. Harrison Esq.

I am directed to communicate to you for the information of His Excellency the Lieut Governor the enclosed extract from

the proceedings of the Council of King's College at their meeting
on the 28th Ult^o, in reference to a charge of \$0.12.6 brought against
the College by Mr Madenham Chief Clerk in the Surveyor General's
office. To the extract I have attached Mr Madenham's original
account. I have de-
S. B. Harrison Esq. H. B. Reg^r. H. C.

From Circular Government House, Toronto, 24th Aug. 1839.
Mr Harrison Sir I have the honor to inform you that His Excellency
the Lieut Governor has caused a Commission to be issued
under the Great Seal, appointing certain Commissioners to
inquire into the manner in which the business of the several
Departments of this Province is conducted and to report thereon
in accordance with the terms of an address voted by the House
of Assembly during the last session praying that such investigation
might take place.

The Commissioners also, for greater convenience, have
been clasped into several distinct Committees, will at
once enter upon the important duty entrusted to them - and
I am in consequence directed to request, that you will afford
the particular Committee charged with the conduct of the
inquiry into the business of your Department every assistance
& information in your power both with regard to the system
as at present therein practiced and to any alterations
or improvements of which that system may seem to you
to be susceptible, with a view to the advancement of the
Public Service. I have de-

H. B. Reg^r, H. C., H. C. & Reg^r. King's College (signed) S. B. Harrison

To Sir, King's College Office, Toronto, 6th Nov. 1839.
Mr Harrison I am directed to acquaint you for the information of
His Excellency the Lieut Governor, Chancellor of King's College,
that the regular meeting of the College Council appointed
to be held on the last Wednesday of every month could not
take place on the last Wednesday of October, owing to the
official engagements of the members. - And, that in consequence,
the meeting will take place at noon the day after tomorrow,
Friday the 8th Inst^o by appointment of Mr Justice Jones.

S. B. Harrison Esq.

I have de-

Priv. Sec^y. H. C., H. C. & Reg^r. H. C.

H. B. Reg^r. H. C.

From
Mr Harrison
To
Sir
Government House, Toronto, 10th November, 1859.
Having by command of the Lieut Governor referred your late communication, requesting at the instance of the King's College Council, that all descriptions of college lands should be issued without the charge of fees to the Surveyor General, I have now the honor to acquaint you that a reply has been received from that officer recommending a compliance with the desire of the College Council - to which His Excellency has been pleased to signify his approval.
H. Boys, Esq.
Bursar & Reg^r King's Coll.
I have &c
(signed) J. B. Harrison

To
Mr Harrison
Sir,
H. C. O. Toronto, 14th Nov^r 1859.
I have the honor to transmit herewith the minutes of the Council of King's College at their last meeting held on Friday the 9th Inst, and have to request you will submit them to His Excellency the Lieut Governor, Cancellor of the College, for his approbation.
I have &c
H. B. Reg^r H. C.

From
Mr Harrison
To
Sir,
Government House, Toronto, 15 Nov^r 1859.
The House of Assembly by an address to the Lieutenant Governor on the 29th April last requested that His Excellency would be pleased to direct that statements in detail of the yearly expenditure on King's College and Upper Canada College might be sent down to the House during the first 15 days of every session, which address His Excellency answered by apprising the House that it was his intention to cause a full report upon the affairs of the University of King's College & of Upper Canada College to be annually prepared and published for the general information of the people.
I have the honor by command of the Lieut Governor to request that you will have the goodness with all convenient speed, to have prepared a full report in terms of the answer to the address above referred to, in order that His Excellency may have it in his power to comply with the terms of the address.
H. Boys, Esq.
I have &c
(signed) J. B. Harrison

From Sir, Government House, Toronto, 16 Nov^r. 1839.
 Mr Harrison
 I beg leave to acknowledge your letter of the 14th Inst.
 transmitting the Minutes of the Council of King's College, held
 on the 8th Inst. which I have now the honor to return to you
 with the Lieutenant Governor's approval.
 At Boys, Esq^r, I have seen
 Bursar & Reg^r. (Signed) J. B. Harrison.

To Sir, K. C. O. T. 18 Nov^r. 1839
 Mr Harrison
 I am directed to transmit to you a minute (the 12th)
 of the Council of King's College held on 8th Inst. with the Bond
 to which the Minute refers, to be delivered to His Excellency
 the Chancellor of the University. I have seen
 J. B. Harrison, Esq^r. Pres^t Sec^y &c. &c. At B. Reg^r.

see Council Minute
 Book. p. 136.

Enclosure

"Extract from the Minutes of the proceedings of the Council
 of King's College at their meeting held on the 8th Nov^r. 1839

Present

The Hon^{ble} W. W. Draper, Solicitor General
 The Rev^d D. McCaul, Principal of Upper Canada College
 The Hon^{ble} R. S. Jameson, Vice Chancellor
 The Hon^{ble} William Allan
 The Hon^{ble} John Macaulay
 The Hon^{ble} E. L. Macaulay.

12 — The Bursar presented to the Council the Bond, duly executed,
 of himself & of his sureties, for the office of Registrar & Bursar
 of this establishment. — The Council approved thereof, and
 ordered that the Registrar do transmit it to His Excellency the
 Chancellor of the University." "A true extract, At B. Reg^r."

see C. M. B. p. 136.

From Sir, Toronto 20th Sept. 1839.
 Jas. M. Strachan Esq^r.
 I have the honor to request that you will be pleased
 to send me a check for the salary of the Archdeacon of York
 as President of King's College, for the half year ending the first
 day of July last amounting to £130. 17. 9.
 At Boys, Esq^r. I have seen (Signed) Jas. M. Strachan
 At B. for J. Strachan

To Sir,
K. C. O. T. 20 Nov^r 1839.

J. C. Patrick Esq^r. In reference to your late application addressed to the Hon^{ble} J. J. Macaulay respecting your remuneration for your services as accountant in the investigation of the affairs of this College, I have the honor to transmit to you a copy of the 7th Minute of King's College Council held on the 8th Ins^t. and have the honor to be Sir H. B. Reg^r. K. C.

J. C. Patrick Esq^r. Copy of the 7th Minute of King's College Council held on the 8th November 1839.

see Council minute book of this date p. 134

"7. — The application..... Mr Patrick's services"
"a true copy, H. Boys, Reg^r. K. C."

To Sir,
K. C. O. T. 21st Nov^r 1839.

J. C. Patrick Esq^r. The Council of this College having by the 8th Minute of their meeting held on the 8th Ins^t, directed me to procure temporary assistance in my office at a rate not exceeding 15/- per diem, it will give me great pleasure to avail myself of your assistance if it suits your views to engage yourself on such terms. You are aware of the objects to be accomplished & of the time it may require to complete them, I have therefore only to request your answer as soon as may be convenient; — and remain, Sir, your most obed^t H. B. Reg^r. K. C.

J. C. Patrick Esq^r

see Minute book p. 135.

To Sir,
K. C. O. T. 20 Nov^r 1839.

Mr Wm Morrow
Mepenger
see C. M. B. p. 136

The Council of King's College, at their meeting on the 8th Ins^t, having authorized me to employ a person for the present as Mepenger in my office at the rate of fifty pounds per annum, so long as he may be employed, I hereby name you to fill that office on the terms mentioned.

Wm Morrow — I am, Sir, Sir H. B. Reg^r. K. C.

To Sir,
K. C. O. T. 20 Nov^r 1839.

J. Lucius O'Brian

I have the honor to transmit to you a copy of a minute of the proceedings of the Council of King's College at their meeting held on the 10th Ins^t & have the honor to be Sir H. B. Reg^r. K. C.

see Council Minute Book p. 136.

Copy of the 14th Minute of the proceedings of King's College Council at their meeting held on 10th November 1839

"14 — Read an application..... into consideration."
"a true copy, H. Boys, Reg^r. K. C."

To Mr. Deas Esq. K. C. O. T. 20th Nov. 1889.
 H. Rev. C. Matthews. It gives me sincere pleasure to fulfil my duty of
 conveying to you the accompanying copy of a minute of the
 proceedings of King's College Council at their last meeting held
 on the 5th inst. I am very dear Sir
 The Rev. C. Matthews. H.B.

see Council minute
 book. p. 138

Copy of the 20th Minute of the proceedings of the Council of
 King's College at their meeting held on the 5th Nov^r 1889.

"20— The Vice Chancellors Upper Canada College"
 "a true copy. St Boys, Reg^r. K. C."

To Sir. K. C. O. T. 28th November 1889.
 Mr. Harrison. I have honor of transmitting to you the two Reports of the
 late Committee of the Council of King's College, appointed to
 investigate the college accounts, which Reports you required
 might be sent to you for the purpose of laying them before
 His Excellency the Governor General.
 I have the honor to be
 H.B. Reg^r. K. C.

To Sir, K. C. O. T. 28th November, 1889.
 J. W. C. Murdock Esq. I have the honor, by direction of the President of King's College
 Chief Secretary University, to request you will inform His Excellency the Governor
 General, Chancellor of the University, that a meeting of the College
 Council is summoned for Saturday the 30th Inst. at one o'clock
 at this office. I have the honor to be
 H.B. Reg^r & Sec^y. K. C.

To Sir, K. C. O. T. 16th December, 1889.
 J. W. C. Murdock Esq. In obedience to the commands of His Excellency the Lieut Governor
 Chief Secretary I have prepared the following Returns relating to the affairs of the
 University of King's College for the purpose of their being submitted to
 the Legislative Assembly, viz:
 1. A statement of the Receipts & Disbursements of King's College
 from 1st Jan^y to 30th Nov^r 1889.
 2. A statement of the Receipts & Disbursements of Upper Canada
 College for the same period.
 3. An Estimate of the annual Income & Expenditure of the
 University

* This mistake of
 Legislative Assembly
 instead of House of Assembly
 corrected by a private
 note to Mr. Murdock, 17th Dec.

4. a statement of the assets of the University on the 30th November 1839.

5. The present state of the Endowment of the University.

6. a Report supplied by the Principals of Upper Canada College, shewing the state of that school for the last eight years.

at the suggestion of Mr Harrison I have the honor of transmitting these documents to you, requesting you will place them in the hands of His Excellency the Governor General as the proper channel for bringing them before the Legislature.

I have &c

H. B. Benson

To

Sir,

K. C. O. T. 16th December, 1839.

J. W. C. Mendenhall Esq

Chief Secretary, Legislative Assembly for the authority on which the Returns
I delivered to you are called for. It is upon an address from that
body to the Lieut Governor as you will perceive by the accompanying

see Mr H's letter 15 Nov. 1839 copy of Mr Harrison's letter desiring me to be prepared with the Returns
this book p. 11.

Such Returns, though not so extensive as I have
furnished them have been called for in preceding years, and
have been rendered to the end of last year. On all former occasions
single copies were deemed sufficient, perhaps because the
application for them was made only by the Legislative Assembly,
and because they relate to a separate establishment and
not to the general revenue of the Province; but if you wish
for duplicates they shall be made out on my bearing from
you to that effect. I have &c

H. B. Benson. K. C.

From

Sir,

W. B. Robinson Esq.

With respect to a note of mine for about £100 (with
int) given for land sold to Stephen Chapman, I beg to state
that if the College Council will take Gore Bank stock for
the amount I can transfer it to the amount required at
any time — I have tried to find a purchaser for it for some
time, but without success. — Having assigned so much of the
stock in the Gore Bank at my disposal to a gentleman for
the purpose of meeting this demand I felt. I am secured the
payment of it to the Council & felt less anxiety about it on
that account. — Should the Council not be able to

accept the Bank Stock in payment I can only assure them
I will use every exertion to convert it into money with the
least possible delay, and in the mean time it shall remain
in the hands of Messrs. Gamble & Bolton, Solicitors, to meet
this demand & no other. Yours &c
D. Boz, Treasurer, Col. Council. (Signed) W. B. Robinson.
Toronto 17 Dec^r. 1859.

To
W. B. Robinson,
Esq. M. P. P.

Sir,

H. C. O. T. 17 Dec^r. 1859.

I beg to acknowledge the receipt of your letter of this
date proposing to the College Council to take up your note
by transferring to them Gore Bank Stock. I will submit
your proposal to that body the first time they meet &
will then acquaint you with their decision.

I have the honor &c

W. B. Boz.

From
St. Kiddell
R. Artillery

Sir,

Toronto 20 Dec^r. 1859.

I have the honor to acquaint you for the information of the
President & Council of the College of Upper Canada that Her
Majesty's Government have ordered the erection of a Magnetic
Observatory in Canada under the charge of the Master General
& Board of Ordnance by whom I have been entrusted with its
establishment & superintendence.

One of the most eligible situations in the neighbourhood
of Toronto would be on the property of the College to the west of the
site laid down for the university. as the object is merely scientific
and the neighbourhood of the Observatory might at a future period
be a benefit to the University. I take the liberty of requesting that you
will lay the following application before the President and Council
viz^t that they would be pleased to grant to Her Majesty's Government
a sufficient space of ground viz^t two acres for the erection of a
Magnetic & Meteorological Observatory and Buildings for the
accommodation of the superintending Officer and his assistants
with a right of road way thereto.

I have the honor to enclose a ground plan showing the
arrangement of the buildings and the space required. The
Observatory must be 100 feet clear from any Iron the other buildings
should be about 150 feet distant from it. the dimensions have
therefore been laid down accordingly.

To

Sir

K. C. C. T. 31st Dec^r 1839.

J. T. C. B. Kiddell.

Roz. Artillery.

I have the honor to inform you, in reference to your letter of the 20th Inst., that the Council of King's College, at their meeting on the 28th Inst., determined to accede to your application for two acres of the College Grounds as a site for the intended magnetic observatory. And they appointed two of their members, the President & the Hon^{ble} J. S. Macaulay, to confer with you on the arrangements that may be necessary for carrying your object into effect.

I have the honor to

A. B. Registrar K. C.

To

Sir

K. C. C. T. 4th Jan^y 1840.

J. W. C. Merrioch Esq.

Chief Secretary

do do do

In compliance with the established custom of this Office to transmit a copy of the minutes of the Council of King's College after each meeting to the Chancellor for his information, I have the honor to enclose you a copy of the minutes of the last meeting, ~~of the Council~~, which was held on the 28th ult^o and have to request you will submit it to His Excellency, the Governor General Chancellor of the University.

I have the honor to

A. B. Reg^r & Registrar K. C.

From

Sir,

K. C. C. T. 23rd December 1839.

J. B. Harrison Esq.

Private Secretary

I am commanded by the Governor General to transmit to you the accompanying documents, noted in the margin, and to signify His Excellency's desire that the subjects to which they relate, may receive the consideration of the Council of King's College accordingly as they may be enabled to entertain them in conformity with the provincial statute, 2nd Vict. Ch. X.

W. Ross Esq.

I have the honor to

(signed) J. B. Harrison.

Marginal notes to the above letter.

H. Craigie, Esq. 9 Sept. - 39, with petition dated 13th Sept. - 39, "Aberdeen Literary Institution".

A. Chisholm, Esq. M. P. P. 4 June 1839, recommending Alexandria as a good site for public school.

G. Ryland, Esq. 25 May & 25th July - 39, "Grantham Academy."

To Sir, K.C.O.T. 6th January 1840.

S. B. Harrison Esq. Private Sec^y to - In reference to your letter of the 23rd Ult^o transmitting by command of His Excellency the Governor General certain applications for assistance for Grammar Schools, I have the honor to enclose you to be submitted to His Excellency, a minute made thereon by the Council of King's College at their last meeting, on the 20th Ult^o.

I have also the honor to return the documents relating to the subject, which accompanied your said letter.

I have the honor to be &c -

H. Boys, Registrar K.C.

To Sir, K.C.O.T. 6 January, 1840.

The Hon^{ble} R. A. Tucker, Provincial Secretary - I have the honor to acknowledge the receipt of a warrant for £500, sterling, in aid of Upper Canada College, for the half year ending 31st December, 1839. Granted by His Excellency the Governor General, dated 1st Inst^o.

I have &c H. B. Munroe K.C.

To Sir, K.C.O.T. 8 Jan^y 1840.

Colonel Wells - We cannot trace any credit given to the College for a sum of £30. 5. 0 paid into your hands on 24th April 1838 - the following minute in your hand writing perhaps will bring it to your mind.

" 5 - 3 Hope McDavid Bedford - - - - -
one half - - - - - is to be returned"

The Parties seem to have agreed to the arrangement & it is therefore probable the whole sum remained in your hands; but, if you returned to David Bedford the Instalment £20 still the rent & interest are likely to have remained with you - perhaps at your leisure you will let me know how the matter stands. I remain, my dear Sir &c

H.B.

23
 Sir
 King's College Office, Toronto 13th Jan^y 1840.
 Christ. A. Hagerman Esq^r Attorney General
 I am directed to place in your hands for collection
 ten promissory notes corresponding with the following description:

By whom drawn	In whose favor	When drawn	When due	Amount
Wm. A. M. Pub.	^{Hunter & Van der} In ^r Thackeray	24 Dec ^r . 1836	24 Dec ^r . 1838	187. 10. 0
D ^o	" "	" "	" "	1839—187. 10. 0
J. Barwick, Esq ^r	" "	" "	" "	187. 10. 0
T. G. Ridout, Esq ^r	" "	" "	" "	1837—187. 10. 0
D ^o	" "	" "	" "	1838—187. 10. 0
D ^o	" "	" "	" "	1839—187. 10. 0
J. Rop, Esq ^r	" "	" "	" "	1838—187. 10. 0
D ^o	" "	" "	" "	1839—187. 10. 0
J. Radenhorst Esq ^r	" "	" "	" "	1838—187. 10. 0
D ^o	" "	" "	" "	1839—187. 10. 0
				<u>1875. 0. 0</u>

all being interest from 24 Dec^r. 1836
 and all interest by the Hunter & Van der
 Thackeray

You have already been put in possession, for
 collection of two similar notes drawn by Mr Rop and Mr
 Radenhorst, due on 24th December 1838, and I shall be
 able in a few days to send you one, for the like purpose,
 drawn by Mr Thorn, due 24 Dec^r. 1839.

I have the honor to

A. B. Munro Esq^r.

From
 Sir,
 Toronto 9th Jan^y 1840.
 J. W. C. Murdoch Esq^r
 I am commanded by the Governor General to
 transmit to you herewith the copy of a letter from Mr Middel
 of the Royal Artillery relative to the conception of a portion of
 the land belonging to King's College for the erection of a Magnetic
 Observatory.

His Excellency directs me to state that he approves
 of the arrangement proposed in Mr Middel's letter, viz^t that
 the land to be granted should be specially conceded for the
 erection of the observatory in question, and for no other purpose;
 and that in the event of the observatory being discontinued, the
 land should revert to the College.

I am therefore to convey to you His Excellency's instructions
 to take the necessary steps for carrying this decision into

effect with as little delay as possible.

I have the honor to
H. Boys, Esq^r (signed) T. W. C. Murdock, Chief Secretary

Enclosure to the foregoing letter.

(Copy) Sir, Toronto 7 Jan^r 1860.

I have the honor to request that you will lay before His Ex^{ty} the Gov^r Gen^l the annexed copy of a letter from the President & Council of King's College in answer to a request from me that they would grant two acres to Her Majesty's Government as a site for the Magnetic Observatory ordered to be established in this country.

I have also to state that I have been informed by the President & the Hon^{ble} J. S. Macaulay that the terms on which the grant will be made are - that the ground shall not be appropriated for any other than the purposes of an observatory - and that, in the event of the observatory being discontinued it shall revert to the College.

The only Government ground in the neighbourhood of Toronto is the Military Reserve west of the City - either of these two would be a good position for an observatory but I consider it highly desirable that a building of this description should be placed in a position where, in the event of the observatory being given up by the Gov^t it would be rendered available for scientific purposes.

The College ground possesses the advantage of being dry & healthy, whereas the military reserve will probably remain for some time longer little better than a swamp.

For these reasons I beg leave to request that His Excellency will be pleased to sanction the grant of the college ground & give his approval to the erection of the observatory thereon in order that I may be enabled to make the necessary application to His Excellency the Commander of the Forces for authority to the Commanding Royal Engineer to prepare at once for the erection of the building on that site. I have &c.

(signed) C. I. B. Kiddell, Lieut R. A.

From
Lieut. Riddell
To the Hon. Secy. of the
Colonial Office

Toronto
Thornhill Jan^y 13th 1840

My dear Sir,

I have the honor to transmit the following description of the location of the King's College grounds which I have the request may be granted to the Principal Officers of H. M. Ordnance as a site for the Magnetic Observatory ordered to be established by Her Majesty's government, - with the condition to the grant proposed by the Hon^{ble} S. Macaulay and of which at my request His Excellency the Governor General has been pleased to approve, viz^t

That a portion of the land attached to the University of King's College described as follows, viz^t -

lying in the north half of Park lot number thirteen, that is to say, commencing at a stake planted in the western limit of said lot number thirteen at the distance of fifty eight chains on a course North sixteen degrees West from lot street more or less thence North seventy four degrees East six chains then North sixteen degrees West four chains - then South seven degrees West six chains - then South sixteen degrees East along said western limit of said lot number thirteen four chains to place of beginning - containing by admeasure. a. two acres & two fifths of an acre.

be decided to the Principal Officers of H. M. Ordnance for the purpose of erecting thereon an observatory and other buildings connected therewith - on condition that when no longer occupied for scientific purposes the site shall revert to the University of King's College together with all buildings erected thereon saving the right of removing all or any fixtures therein contained or attached.

I have the honor &c.

(Signed) C. J. B. Riddell.

Lieut. Roy. Artillery.

From
Genl. Thorne R. S.

To
Thornhill Jan^y 11, 1840.

Having been informed that the Governor General as the Chancellor of King's College has ordered my note to the Rev^d Dr. Strachan for £107.10.0 with interest due the 27th Ult. to be put in suit, I beg to state to His Excellency & Council that on the day on which the note became due I addressed a letter to the Bishop of Toronto and that I expected that he would have submitted my letter to their consideration. As it

Does not appear to have been done I beg to enclose a copy of it.

If the money is allowed to remain in my hands upon the terms stated in my letter to his Lordship I will find another endorser of equal responsibility. But if the College must have immediate payment there will be no occasion to have recourse to law proceedings as I will pay it at once though it may be attended with some inconvenience before the navigation opens, as a large proportion of my floating capital is invested & daily expended in Wheat & other produce which in the present depressed state of trade cannot be turned to account till then. — Having been the first person to establish a regular cash market for Wheat in this District I may be allowed without the charge of vanity to say that few men have done more to develop the resources of the back country than myself giving thereby an increased value to all the College lands held in that direction, I therefore think that in the very depressed state of monetary affairs on this continent a spirit of liberality should be manifested by ^{public} ~~people~~ bodies in debts that may be owing to them where no help is likely to be sustained.

I beg to call the attention of the College to a suit which your Solicitor has instituted against me for notes which I paid in July, last, though I have a letter from the then Bursar stating that no such proceedings were authorized by the Council I have been served with a declaration & have been put to the trouble & expense of defending the same.

It is my intention to submit a memorial of the proceedings to His Excellency the Governor General, because I do not believe at as Chancellor of that Institution he will justify the acts of your Solicitor in this matter.

I have the honor &c.

(signed) Berj Thorne.

Enclosure to the foregoing letter.

Copy of letter to the Bishop of Toronto, Dec^r. 27, 1839.

I regret that my note to your Lordship for the Hamilton purchase which becomes due this day has not been met at maturity, but the partial failure of the Wheat harvest in 1838 and almost total failure in 1839 together with the unsettled state of the Province have rendered every kind of

landed property, invaluable but have prevented the collection of
outstanding debts without inflicting much personal suffering.
with a disposition to extend indulgence wherever it could be prudently
exercised it has been even with large resources no common
undertaking in an extensive business to meet all ones engagements
having a direct commercial bearing with that promptness which
is indispensable with mercantile credit. This then must be
my apology for not having met your note & for asking
your Lordship to continue your endorsement as I presume
the College would not demand immediate payment of
the interest be paid up and the principal liquidated in three
equal divisions payable every three months which are I
believe the terms required by the Bank.

Should it be necessary to lay an application before the
College Council to effect the described arrangement I shall
feel obliged by your Lordship's bringing this communication
before them. I have the honor &c

(signed) B. Thorne.

Benj^d Thorne Esq.

Sir,

H. C. O. T. 14th January, 1840.

I have the honor to acknowledge the receipt of your
letter of the 11th Inst. and regret to say that it is not in my
power to stay the legal proceedings which are directed to be
taken against the drawers of such promissory notes as are
over due to the College till a meeting of the College Council may
take place. It is not likely such a meeting will take place
within a short time and I know the desire existing in other
Quarters as well as in the College Council to see these matters
brought to an immediate close. — It fortunately happens
in your case that the Cashier of the Bank of Upper Canada
informed me a few days back that you intended to pay
up your note immediately, and in consequence I did not
send it with the others of the same description to the Attorney
General. I will therefore keep it back a few days longer, say
10 days from this date, then, if not settled, it must of course
be treated like the rest. — Notwithstanding this in common
course of business your letter will be read at the next meeting
of the College Council whenever that may take place.

Benj^d Thorne Esq.

I have &c W. B. Mansel, H. C.

20

Sir

K. C. O. P. 15th Jan^y 1840.

Mr Henry Hawkins.

I have much pleasure in communicating to you the following extract from the Minutes of King's College Council at their meeting held on the 20th M^o v^o 1839.

see minutes of Council p. 143. "N^o 8 — at the last meeting..... absence from the office."

I remain &c. H. B. Benson Sec^y

From

Sir

Toronto 15th January, 1840.

J. W. C. Murdock Esq.

Chief Secretary

read in Council
29 Jan 1840. see minutes
K. C. Minute book p. 147-148.

see Minutes & reports
transmitted 25th Jan 1840 -
see this book p. 28.

I am commanded by the Governor General to transmit to you herewith the copy of an address presented to His Excellency by the House of Assembly, praying that His Excellency will be pleased to lay before that house copies of the Minutes of the Council of King's College for the years 1839 together with the several reports of the Committee of the Council during the same period.

I am to request that you will at your early convenience transmit to me the documents necessary to enable His Excellency to comply with this address & that you would in the mean time have the goodness to inform me such period will be required for their completion.

I have &c

W. B. Esq.

Signed J. W. C. Murdock, Chief Sec^y

Enclosure to the above letter.

To His Excellency the Right Hon^{ble} C. P. Thompson Esq. &c. &c.
May it please your Excellency

we, the Magistrates Du^{ty} & loyal subjects,
the Commons of Upper Canada in Provincial Parliament
assembled humbly request that your Excellency will be
pleased to cause to be laid before this House, copies of
the Minutes of the Council of King's College for the years 1839,
together with the several Reports of the Committee of the
Council during the same period.

From

Sir,

Toronto 16th January, 1840.

J. W. C. Murdock Esq.

Chief Sec^y?

I am commanded by the Governor General to transmit to you herewith the copy of a note addressed to His Excellency by Mr Benjamin Thorne, enclosing a correspondence with yourself and the Bishop of Toronto, respecting certain proceedings

adopted by the governors of King's College to enforce the
payment of notes given by him — His Excellency would be happy
to receive any explanation of the circumstances adverted to by
Mr Thorne which it may be in your power to give
I have seen

W. Briggs Esq^r;

(signed) J. W. C. Murdock Esq^r.

Enclosures to the above.

Mr Thorne begs most respectfully to enclose for
His Excellency the Gov^r Gen^l copies of letters addressed
by him to the Bursar of King's College & the Bishop of
Toronto.

Thornhill, 11 Jan^y, 1840.

These two enclosures
entered this book pp. 22-24.

To

Sir

K. C. O. Toronto 18 Jan^y, 1840.

J. W. C. Murdock Esq^r.

Chief Sec^y.

recd. p. 23.

In reply to your letter of the 16th Inst^l I have the
honor to state to you for the information of His Excellency
the Governor General that the note referred to by Mr
Thorne was transferred to the College by the Bishop of
Toronto at the time of the disbursement of goods, as collateral
security for a loan of money. As the notes became
due the Bishop who was the endorser, was desirous of
being relieved from responsibility to the College and
requested that payment should be enforced. The notes
were in consequence placed in the hands of the legal
adviser of the College that the necessary steps might be taken
for their collection. It was not considered that the College
could properly interfere in any manner that might
compromise the interests of the endorser or by which his
responsibility to the institution might be affected. The
course pursued towards Mr Thorne was intended to be
the same as that which was adopted in all the other cases;
but it is proper to add that the note now due by him
has not yet been placed in course of prosecution under
the expectation that it will be very shortly paid as explained
in the enclosed copy of my reply to his letter of the 11th Inst^l,
one of the documents you have referred to me, which
reply he probably had not received when he wrote to His
Excellency.

I have the honor to

W. B. Nassau, K. C.

recd. p. 24.

From
Lt. J. C. B. Riddell,
Royal Art.

Sir,
Toronto, 17th January, 1840.

I have the honor to state with reference to my letter of the 13th Inst. on the subject of the site of the Magnetic Observatory that I have been informed by the Commanding Royal Engineer that the Board of Ordnance are not empowered to hold property in Upper Canada. I therefore beg to request that the portion of land described in that letter be deeded to Her Majesty for the purpose of erecting thereon an observatory and other buildings connected therewith on condition that when no longer occupied for scientific purposes the title shall revert to the University of King's College together with all buildings erected thereon, subject to the right of Her Majesty's Government to resume the possession and occupancy thereof if again required for scientific purposes. Also to remove all or any fixtures therein contained or attached.

The latter paragraph relative to the right of resuming possession I have considered it necessary to insert to prevent any future question arising on the subject.

I have
Yours faithfully
J. C. B. Riddell,
Lt. Attorney.

To
Chas. A. Hagerman Esq.
Attorney General

Sir,
K. C. O. T. 21st January, 1840.

I am directed by the President of the University to transmit to you certain documents as enumerated below, relative to a site for a Magnetic Observatory; and am desired to request you will as speedily as convenient, draw out the necessary legal instrument for complying with the object of these documents. I have
Attest. Secy. H. C.

List of Documents referred to in the above letter.

- | | |
|----------------------|---|
| see p. 16 | No 1. Letter from Lt. Riddell to Burgess dated 20 Dec ^r 1839 |
| " " 17 | No 1(a). a Diagram |
| see Min. Book p. 180 | No 2. Minute of College Council |
| see p. 20 | No 3. Letter from M ^r Munnock dated 9 Jan ^r 1840. approving the Governor General's approbation. |
| see p. 21 | No 3(a). Letter from Lt. Riddell. 7 Jan ^r 1840 |
| see p. 22 | No 4. Letter from Lt. Riddell to Burgess, dated 13 Jan ^r 1840 with a description of the site. |
| see above, this page | No 5. Letter from D ^r to D ^r dated 17 Jan ^r 1840, giving instructions respecting the deed. |

To

Sir,

K. C. O. T. 25 January, 1840.

J. W. C. Murdock Esq.
Chief Secretary

For Mr. Murdock's letter on p. 25

I have the honor, in compliance with your letter of the 15th Inst. to transmit to you a copy of the minutes of the Council of King's College for the year 1839 comprising the several reports of the Committee of the Council during the same period, to enable His Excellency the Governor General to comply with the address of the House of Assembly referred to in your said letter.

I have &c.

H. B. Kest. K. C.

To

Sir,

K. C. O. T. 25 January, 1840.

J. W. C. Murdock Esq.
Chief Secretary
&c. &c. &c.

I have the honor to request that you will inform His Excellency the Governor General that Wednesday next the 29th Inst. being the last Wednesday in the month is the appointed day for the meeting of the Council of King's College. The Council assembles on that day at the College Office, dot Street, precisely at noon.

I have &c.

H. B. Kest. K. C.

To

Sir,

K. C. O. T. 4th February 1840.

J. W. C. Murdock Esq.
Chief Secretary

see 6th Minute of Council
held on 29th Jan 1840.
Council Minute Book. p. 148

I have the honor to enclose to you for the purpose of its being brought under the consideration of His Excellency the Governor General a copy of a minute of the Council of King's College respecting the claim of the College to the Royal Grant of £1000 sterling per annum. And in compliance with that part of the minute which directs a statement to be sent to His Excellency of the circumstances under which the grant is claimed I beg to add that this grant was made to King's College by the Crown as communicated to Sir Eugene Maitland by Earl Bathurst in his Dispatch of 31st March 1827, a copy of which I enclose. The grant is given for the purpose of erecting the College buildings, and is directed to be paid out of the monies furnished by the Canada Company, to continue during the term of their agreement. The arrangement is for 10 years from the 1st January 1826. The College drew the grant from the 1st January 1828, the endowment commencing in that year and continued to receive it till the 1st July 1832, when

For this Dispatch see 1st Book
of minutes. p. 47.

It was suspended by a government dispatch to Sir John Colborne until the Legislature should pass an act for amending the Charter of the University, such an act having been passed in the 1st Session of the 18th Parliament to which His Excellency Sir J. B. Hear, then Lieut Governor, signified the Royal Assent on 4th March 1837 the cause for the suspension was removed and in consequence the Council deem it expedient to submit the claim of this Institution to the Royal Boon to His Excellency's favorable consideration.

* a copy of this Dispatch is not to be found in this office. The original, it is presumed, must be in the Government Office.

I have the honor to

W. Boze, Bureau, H.C.

I have found in the office the two following documents on the subject of the ^{Royal} Grant of £1000 A.S. to King's College. They are of importance & are not entered in any book; I therefore record them here.

To

Venerable Sir,

King's College Office Toronto 19th March 1838.

The Hon^{ble} & Venerable

The Archdeacon of York

President of the University

of King's College

I have the honor as Bureau of the University of King's

College to address you as the President of that Institution on

the subject of the great arrears due to the University from

the Royal Grant of £1000 Sterling per annum for a definite

number of years payable half yearly out of the funds derived

from the Canada Company.

The last half yearly payment which I received from

the Receiver General was on the 1st July 1832. Upon my

applying at the end of the ensuing half year for the usual

warrant I was informed by the Direction of the late Lieut

Governor Sir John Colborne that His Excellency had received

a Dispatch from the Home Government that this Royal

Boon was to be suspended until the Legislature should

pass such an act for amending the original Charter of the

University as should be approved of by the Sovereign. ^{as such} ~~an~~

act has since been passed, and the Royal Assent been

given. There is therefore no obstacle to an

issue of the 5th years arrears to the 1st January last

amounting to £5500 Sterling. I therefore feel it my duty

in behalf of the University to respectfully call your attention

to the great loss which the Institution has long been suffering

by the suspension of the half yearly issues which otherwise
 could have been invested in Government Securities from
 which latter a serious amount of interest would have been
 derived. ... Feeling assured that you will make such a
 representation to His Excellency the Lieut Governor as will
 cause a continuance of that injury to cease I have the honor
 to subscribe myself very respectfully, Sir,

Your obedient humble servant

signed J. W. Wells.

Data in support of the claim of Upper Canada College for
 continuance of the allowance of £1000 Sterling per annum
 for the support of that Institution.

In the first week of January 1820 the Institution was opened
 in the District School House, which it occupied for the whole
 of that year during which the new building of the College was
 erected and in the first week of the January following 1821
 the studies commenced in the latter.

The allowance from Government for the	} Sterling 200
year 1820 was only	

From the 1 st of January 1821 it was	} 500.
raised to	

This allowance continued till the 1 st	} 1000.
of January, 1824 from which it	
was raised to	

and it has continued to be paid accordingly to the 1st July last (1830)

It seems therefore self evident that the proper authority
 must have been given by the Home Government for this
 increase of Grant for the last 12 years or it would long ere
 this have been disallowed. In support of this natural
 inference it will be found, by referring to the proceedings of
 the Provincial Legislature during the first session of the present
 Parliament that a Message from His Excellency the Lieut Gov^r
 Sir Francis Bond Head was on the 11th Feb^r 1837 sent to both
 Houses with an accompanying "Estimate of the expenses of the
 Civil Government for which it is desirable that provision
 should be made and upon the granting of which His Majesty
 together with such sum as will enable His Majesty to meet
 the actual charges upon the fund for which His Majesty may

"graciously consider the faith of His Government pledged, the Lieutenant Governor would feel himself authorized to assent to a measure for the placing the Revenues at the disposal of the Provincial Parliament."

In this estimate the first item in Schedule D is Upper Canada College, £1000 Sterling - this it is presumed most fully justifies the inference before drawn as to this amount in question having been fully authorized.

It may here be not irrelevant to remark that the boon of £1000 Sterling per annum for 16 years to the University of King's College is a distinct grant altogether and expressly given in aid of the cost of the buildings to be erected and it is specially directed that this grant should be payable out of the proceeds of the sales of lands to the Canada Company.

This grant has been temporarily suspended from the 1st July 1837 under orders from the Home Government until the Provincial Legislature should pass an act to amend the Charter of the University which should be approved of by His Majesty. Such an act was passed in the first Session of the present Parliament and on the 4th March 1837 His Excellency the then Lieutenant Governor Sir H. B. Head was pleased to assent to the same in His Majesty's name. The cause for suspension being thereby removed it is respectfully hoped that the Receiver General will be authorized by warrant to pay to the Bursar of King's College the amount of the arrears due on this last named grant and which on the 1st of July last amounted to £6000 Sterling.

King's College Office,
Sept. 5th 1838.

All which is respectfully submitted.
(signed) Jos. Wells, Bursar of King's College

To Sir
H. C. O. T. 8 Feb^r 1840.
Lieut. A. Haggerman Esq.
Attorney General.
By directions of the Council of King's College I have the honor to transmit to you a copy of the 8th Minute of their meeting held on the 29th Ult^o and a copy of Mr Barber's account referred to in the 8th Minute.
I have also H. B. Bursar, K. C.
followed by a copy of the 8th Minute of Council on 29 Jan^r 1840
Council Minute book. p. 148-9.
And a copy of Mr Barber's account, balance to his debit £1539. 3. 11.

Mr Barber's letter on this subject in this book. p. 15

From Sir Toronto, 3^d Feb 1840.

J. W. C. Murdock Esq.
Chief Secretary

With reference to the Report of the Committee on the affairs of King's College transmitted to His Excellency, and to the accounts sent for presents him to Parliament I am commanded by the Governor General to state that His Excellency wishes for detailed information upon the following points.

It appears that the late Bursar's accounts have been greatly in arrears and that upon the 1st July no less a sum than over £13,000 was due from him of which about £7000 have been paid leaving £6306 due. His Excellency desires to be informed what steps have been taken to recover this balance.

His Excellency wishes to have a copy of the minutes or order under which the Bursar was appointed and also to be informed whether any & what security was required from him, or, if not upon what ground it was considered expedient to dispense with such ordinary guarantee.

It appears that considerable sums have been given out on loan to members of the Council. His Excellency wishes for copies of the minutes under which such loans were authorized a statement upon what security such loans were made, if upon notes of hand an account of the period at which they fall due; and he desires further to be informed whether steps have been taken to prevent the occurrence of so highly objectional a practice, as loaning the funds of the institution to those engaged in its management.

I have the honor to be, Sir
(signed) J. W. C. Murdock Chief Secretary

To Sir, K. C. O. Toronto, 11th Feb 1840.

J. W. C. Murdock Esq.
Chief Secretary

In reference to your letter of the 3^d Inst requiring, by command, certain particulars respecting the debt to King's College of all Col Brewster the late Bursar, and of the Loan made by the College to the Rev & Hon^{ble} the Archbishop of York, now Bishop of Toronto, I have the honor to state for the information of His Excellency the Governor General that the late Bursar immediately on the state of his balance being ascertained, assigned over to the College, by way of mortgage, property to a greater amount in estimated value, than the amount of his deficiency. The property consisting of various estates, it has taken much time

a letter from the Chief Secretary
concerning the Governor General
and a letter from the Chief Secretary
1.3.

to prepare the legal documents necessary to complete the assignments, but I find from the Attorney General they will be completed in a few days, in the mean time the deeds are in possession of this College. It is not apprehended that the College can suffer any loss eventually in this case; but it may be a considerable time before the different estates can be advantageously disposed of. Interest will, in the mean time be charged against the late Bursar.

Since his removal the late Bursar has paid in, by small instalments, £750. and his debt at this time, including some small sums that have been brought against him since his removal, amounts to £5924.

The minutes appointing the late Bursar are as follows.

at the first meeting of the College Council, being on the 8th January 1828, the following minute was made. "His Excellency the Chancellor (Sir Peregrine Maitland) was pleased to appoint James Givens Esq^r, Jun^r Registrar and the Hon^{ble} Joseph Wells, Bursar, of King's College." - and, at a meeting of the Council

1st Minute Book p. 47.
1st Minute Book p. 192 on 16th March, 1833 the following minute was made. "The President read a letter from His Excellency the Lt. Governor (Sir John Colborne) appointing Mr. J. H. Maitland appointed Inspector general." - It does not appear from the minutes of the Council that the late Bursar was ever called upon to give security for the due performance of his office; nor is it known to any of the present members of the Council upon what grounds it was considered expedient to dispense with such ordinary guarantee.

1st Minute book p. 224.
in respect to the loan made to the present Bishop of Toronto, the following minute was made by the Council at their meeting on 7th January, 1827; "The Bursar laid before the Council a letter which he had received from the Hon^{ble} & Ven^{ble} the Archbishop of York, proposing to the College Council to take on interest a sum not exceeding £5250. ^{from} for their funds now lying or hereafter to come into the hands of the Bursar upon depositing as security the following promissory notes owned by the Archbishop.

Hon^{ble} Wm Morris, 4 notes of £107.10.0 all dated

21st Dec^r 1836 payable 1.2.3.4

given after date with interest £750.0.0

Allen W M Nab, Esq ^r	D ^r	750.0.0
John Barwick, Esq ^r	D ^r	750.0.0
Benj ^r Thorne, Esq ^r	D ^r	750.0.0
Thomas G. Ridout, Esq ^r	D ^r	750.0.0
John Rops, Esq ^r	D ^r	750.0.0
John Radenhurst, Esq ^r	D ^r	750.0.0
Total		£5250.0.0

The Council being perfectly satisfied of the sufficiency of the security sanction the investing the amount required, to bear interest from the time the money may be advanced, the securities to be endorsed by the Archdeacon."

The present state of these notes is as follows.

	Payable 24 th December				Total
	1837	1838	1839	1840	
Hon ^{ble} Wm Morris	107.10.0	107.10.0	107.10.0	107.10.0	750.0.0
Hon ^{ble} Sir Allan M Nab	107.10.0	107.10.0	107.10.0	107.10.0	750.0.0
Mr Barwick, Esq ^r	107.10.0	107.10.0	107.10.0	107.10.0	750.0.0
Benj ^r Thorne, Esq ^r	107.10.0	107.10.0	107.10.0	107.10.0	750.0.0
T. G. Ridout, Esq ^r	107.10.0	107.10.0	107.10.0	107.10.0	750.0.0
Mr Rops, Esq ^r	107.10.0	107.10.0	107.10.0	107.10.0	750.0.0
Mr Radenhurst, Esq ^r	107.10.0	107.10.0	107.10.0	107.10.0	750.0.0
	1312.10.0	1312.10.0	1312.10.0	1312.10.0	5250.0.0

Those lined out are already paid - The three last now due are placed in the hands of the Attorney General for collection. The remaining six are not yet due. - These notes being all endorsed by the Bishop afford a perfect security to the institution against any eventual loss.

Having applied to the Bishop for any further explanation on this subject he might wish to offer I beg leave to enclose you a copy of His Lordship's answer.

It does not appear that any Rule or Ordinance has been made to prevent in future the loaning of the funds of the Institution to those engaged in its management.

I have the honor &c,

W. Boyl, Secy. & Reg^r. H.C.

From

Sir

Toronto 10 Feb^r 1840The Hon^{ble} & Right Rev^d.

The Lord Bishop of

Toronto, &c. &c. &c.

In reference to the latter part of Mr Chief Secretary
Murdock's letter dated 3^d Ins^t which I have only this moment
seen and upon which you request any explanations I may
have to offer - I have first to express my regret that His Excellency
the Governor General had not been made acquainted with the
facts of the case before such communication was written - and
next my inability to acquiesce in the language of censure
which Mr Murdock has thought fit to employ respecting a
matter of business in which I happen to be concerned.

Many years ago I borrowed nearly eight hundred pounds
from my friends Mess^{rs} Clarke & Street of Niagara to complete
some domestic arrangements. This money was given me on
my personal security and to be repaid with interest at my
convenience. The lamented death of Mr Clarke disturbed this
arrangement, for his heirs in Scotland intimated their wish
to realize the estate as soon as possible.

To meet this wish I disposed of a very valuable
property to a company of eight gentlemen among the first
in the Province for wealth & respectability, to be paid by
annual instalments with interest. A portion of the securities
given by the purchasers (but retaining my responsibility for
their certain discharge) was transferred with the full consent
and approbation of the College Council at one of its meetings
(as may be seen by the minutes) to the Purser for their value
£5250 as he happened at that time to have investments
to make.

It was a common money transaction of the most
simple kind and the securities such as no gentleman
or monied institution in the Province would have for a
moment refused. They are more ample than Mess^{rs} Clarke
& Street required from me for a much larger sum. and
I consider myself under no sort of obligation to the College
Council as it would have been easy for me at the time
to have made a similar arrangement elsewhere.

It is true the rebellion & disturbed state of the Province
have produced difficulties in the payments which could not
have been anticipated, but I am responsible for all the
deficiencies and I am bound to protect the College against
ultimate loss either in capital or interest.

of this letter sent to the
Governor, 10 Feb^r - sep^r 40

But to prevent the occurrence of any thing unpleasant in this matter I have to request you to furnish me with a detailed account of the notes and the balance due on the first of January last that I may at the expiration of every six months meet the accruing interest or deficiency of interest thereon, so that the regular income of the college may be secured against temporary diminution till the said balance be finally adjusted which will I trust take place at no distant period.

Dr Boys,

Bussar, a. c.

I have seen

(signed) John Toronto.

To

Sir

H. C. O. Toronto, 12 Feb 7 1840.

His Ex^{ty} the Right Hon^{ble} the

The money loaned by the University of King's College

C. P. Thomson Governor to the present Bishop of Toronto was advanced at the following

General

Dates

The money was advanced in three instalments of £1000, £2000 and £1250 respectively on the 2nd, 9th and 21st of January and February 1836.

2nd January 1836 — £1000.

9th January 1837 — £2000.

21st February " — £1250.

Total — £5250.

I have the honor to be, Sir,

Yours Spencey's most obed^t & L^{ty} Servant

W^m Boys, Bussar, h. c.

Mem. 12th February, 1840. I have this day discovered the following note

made by the Lieut Governor on the copy of the minutes of Council of 26th June, 1839 which had been sent to him for approbation.

"In referring to this minute, I feel myself called on to notice the allusions it contains to 'Notes of Hand' and 'Bank Stock' in connection with the funds of the University; and to express, in my character of Chancellor, my decided disapprobation of every transaction involving a recourse to such securities.

Governor's House

(signed) Geo Arthur.

1st July, 1839.

From Sir, Gov^t Genl's House, Feb^r 13, 1840.
 Capt. Campbell, I am directed by His Excellency the Governor
 A.D.C. to His L^y. General to request you will summon the Council of King's
 the Governor General College to meet at 12 o'clock on Saturday the 15th Inst.
 the Bureau I have &c.
 of King's College. (signed) Edmund Campbell, A.D.C.

To Sir, H.C.O. T. 13th Feb^r 1840.
 Capt. Campbell I have the honor to request that you will inform
 A.D.C. to His Excellency His Excellency the Governor General, Chancellor of the
 the Governor General University that in obedience to his commands, signified
 in your note of this morning, I have summoned the Council
 of King's College to meet at 12 o'clock on the 15th Instant,
 (the day after tomorrow) I have the honor, &c.,
 W. Boyce, Secy. H.C.

From Sir Toronto, Feb^r 14, 1840.
 Arthur Symonds Esq^r I am commanded by the Governor General, with
 Private Secretary reference to the date of payment made from the funds
 to His L^y the Gov^t Genl of the University to the Bishop of Toronto given in your
 in opposite page. letter of the 12th Inst^t, to inquire whether the note of
 the first payment is correctly given, say the 2nd Jan^y 1836,
 and if so, His Excellency desires to have a copy of the
 minute under which that payment was authorized
 as the minute for the general transaction is dated 7 Jan^y 1837.
 Dr Boys. I have &c.
 (signed) Arthur Symonds.

To Sir, H.C.O. T. 14 Feb^r 1840.
 Arthur Symonds Esq^r In reference to your note of this date, this instant
 see the above note. received, I request you will inform His Excellency that
 the date of the 1st payment to the Bishop is correctly stated
 to be on the 2nd January 1836; — and that there is no
 minute of Council, or authority, for the transaction.
 I have &c. A.B. Burrows, H.C.

To My Lord, H.C.O. T. 17th Feb^r 1840.
 The Lord Bishop of Toronto I have the honor of transmitting to you a copy of the
 see minute book. p. 150. 3rd Minute of the Council of H.C., held on the 15th Inst^t.
 I have &c. A.B. Burrows, H.C.

From

Sir

Toronto 17th Feb 1840.

The Hon^{ble} & Right Rev^d
the Lord Bishop of Toronto.

in Council Minute book
p. 150.

My letter to His Lordship
this week p. 37.

With respect to the minute of the College Council of the
15th Feb^y which you have done me the honor to enclose respecting
one thousand pounds advanced to me by Colonel Wells twelve
months prior to the order of Council authorising the loan of £5250.
on certain securities I beg leave to state that I have no other
memoranda than the following - on the 2nd Jan^y 1836 I borrowed
one thousand pounds of my friend Colonel Wells, which I considered
a matter between ourselves & for which we were personally
responsible.

I gave the Colonel my note of hand for the amount
in case of accident otherwise our mutual confidence in each
other would have been sufficient.

On the 12 July 1836 and on 7 Jan^y 1837 the interest for
the half years respectively was duly paid and at the latter
date the sum of one thousand pounds was transferred and
included in the loan of £5250.

I have, &c.

D. Boys.

(Signed) John. Toronto.

From

Sir,

Toronto, 15th Feb^y 1840.

J. W. C. Murdoch, Esq^r,

Chief Secretary.

the letters referred to entered
p. 32, 36 & 37.

a copy of this letter sent
to me; & the 10th & 11th Feb^y
p. 40.

Your letters of the 10th, 12th & 14th Feb^y have been laid
before the Governor General together with the enclosure.

With reference to the defalcation in the accounts of the
Treasurer, and the omission to take security from that officer,
His Excellency is sorry to find that no remedy now seems feasible,
and it is only to be hoped that the property of the late Treasurer
may be found sufficient to prevent ultimate loss to the University.

With respect to the loan of money stated to have been
made to the Bishop of Toronto upon the security of certain notes
of hand, and upon the subject of which, in addition to your
remarks, a letter has been transmitted, addressed to yourself
by the Right Reverend Prelate I am commanded to inform you
that His Excellency the Governor General feels himself compelled
to record his opinion for the information of the Council.

His Excellency wishes to abstain altogether from the
consideration of the circumstances, under which the loan was sought,
alluded to in the letter of the Right Reverend Prelate, and
upon which he had neither the desire nor the right to require
any explanation. The points on which he is called upon to express

an opinion, as Chancellor of the University, on the circumstances under which the loan was made by the Council and the action that has been taken upon the securities given.

It appears that a loan of a considerable sum was made by the Council to one of the members of the Board. Such a proceeding His Excellency cannot by any means, view in the light of an ordinary money transaction. The employment of the funds of a public trust by one of the Trustees for his own advantage is a proceeding which in his opinion, is highly objectionable and calculated to destroy the confidence of the Public in the management of the University. In England, such a transaction would be visited with severity in a Court of Equity.

With regard to the second point His Excellency regrets to be obliged to remark that a proper course has not, in his opinion been pursued. It appears from the statement that no less than eleven notes of hand are over due of which three have been due since the year 1837 three since 1838, and the remaining five since 24 Dec^r 1839. In business of this kind punctuality should be always observed, but in the affairs of a public trust, a scrupulous regard to it appears above all things desirable. If a note of hand be not discharged at maturity by the party first liable, the simple & ordinary course is to call upon the endorser (if any) to do so. No such steps seem to have been taken and the signatures to these Bills have been permitted to remain dishonored some of them for a very considerable time.

I have the honor to be, Sir,

Yours obedient servant

(Signed) T. W. C. Murdock

Chief Secretary.

J. W. C. Murdock

Secretary.

From

My Lord & Gentlemen

Toronto, 15 February, 1840.

This letter read in Council
25 Feb 3 1840 - in C. M. H. L. 183.

I am commanded by the Governor General to inform

Chief Secretary.

you, with reference to the minute of the Council of King's College

For this minute of Council see
C. M. H. L. p. 183.

on the subject of the appointment of a Solicitor to that Institution

a copy of this letter sent to the
Chancellor (Sir G. Arthur) 18 Feb.

that after having considered the several applications made to him,

His Excellency has nominated Mr James E. Small to be Solicitor

To the President &

Council of King's College.

to King's College vacant by the elevation of Mr Wagerman to
the Bench

I have the honor to be,
My dear & gentlemen,
Your most obedient humble servant,
(signed) ~~Thomas~~ T. C. Murdock
Chief Clerk

To
His Excellency General
Sir,
King's College Office, Toronto, 10th Feb 1840.
I have the honor to transmit to your Excellency as
Lieut. Governor &c. &c. Chancellor of the University, a copy of a letter received at this
office appointing Mr James S. Small to be Solicitor to King's
College and have to request your instructions thereon.

To
His Excellency General
Sir,
H. C. O. S. 10th Feb 1840
I have the honor of enclosing to your Excellency a
copy of my letter to Mr Murdock on the subject of the late Bazaar
balance and of the loan to the Bishop of Toronto, with a copy of
His Lordship's letter which is referred to in mine & being the two
letters you desired might be sent to you. I also enclose a copy
of Mr Murdock's letter of the 3^d Inst^l which led to the correspondence,
and one of his letter of the 15th Inst^l which is the last that has
passed on the subject. I have the honor to be
Yours &c.
H. B. Mansel K. C.

To
Lieut Riddell
Sir,
H. C. O. S. 15th Feb 1840.
The Council of King's College at their meeting this
day referred the object of your inquiry respecting the road
to the Observatory, to the Bishop & J. S. Macaulay, Esq^r, giving
them power to arrange the matter with you.
I have
Yours &c.
H. B. Mansel K. C.

From
The Lord Bishop of Toronto
Dear Sir,
Toronto 10 Feb 1840.
Col. Wells to whom I sent the enclosed for any remarks
he might have to offer as I had no other information than
what is stated replies that the statement is perfectly correct.
I am, Yours truly,
J. B. B. B.
Bursar & Registrar. (signed) John Toronto.

in payment, I am only assure them I will use every exertion to convert it into money, with the least possible delay & in the mean time it shall remain in the hands of Messrs Gamble & Bolton, Solicitors, to meet this demand & no other.

J^r Boys

Yours &c.

Bursar, Col. Council.

(Signed) W. B. Robinson.

To

Sir,

H. C. O. T. 3^d March, 1840.

Wm Bolton, Esq^r,

in minute of 15th 9.

The Council of King's College in compliance with a proposal from W. B. Robinson, Esq^r, have consented to receive Gov. Bank Stock for a promissory note of W. Robinson's held by them, provided the same be immediately carried into effect, I believe. I am correct in applying to you as his agent in this matter. — The note is dated the 23^d March, 1830; and is for £112.10.0, & bears interest from 26th February, 1829.

Amount of note ————— 112..10..0

11 years interest ————— 74..5..0
£186..15..0

If any further information may be necessary to enable you to proceed in this business I shall be happy to supply it.

I have &c

W. B. Robinson H.C.

From

Sir,

Government House, 27th Feb 1840.

J. B. Harrison, Esq^r.

In reference to your communication to Mr Secretary Murdock of the 12th Inst. I am desired by the Lieut Governor to request that you will furnish me for His Excellency's information, with an abstract of the accounts of expenses & income of the University furnished as part of the papers sent to the House of Assembly. I have &c

J^r Boys &c

(Signed) J. B. Harrison

To

Sir,

H. C. O. T. 28th Feb 1840.

J. B. Harrison, Esq^r,

In compliance with your letter of the 27th Inst. I have the honor to enclose to you a copy of the abstract of the expenses & income of the University; being one of the documents transmitted to His Excellency the Governor General by this Office to be submitted to the House of Assembly. I have &c

J. Boys, Bursar H.C.

From
L. G. Redout Esq^r.

Jas M^cG. Strachan, Esq^r, Solicitor, transmitted the following letter
from J. G. Redout, Esq^r, to be submitted to Council.
Gentlemen

Toronto 25th February, 1840.

In consequence of the suit which you have instituted
against me on the part of King's College Council, I am induced
to state to you the circumstances under which my liabilities
were incurred and beg that you will be pleased to lay the
same before the Council for consideration, which are as follows.

In December 1836 I became engaged with several other
persons in the purchase of town lots in Hamilton - then
a very thriving place - and we had a good prospect of realizing
a handsome profit on our property, on which, I had paid
down £250 cash, and had given four notes for the balance
of £187 10..0 each payable with interest in the four following
years. These notes are now in the possession of the College,
and three of them being due are in your hands in suit.
The fourth will fall due on the 24th December next. At
the time that I gave these notes the country was in a
prosperous state; and I thought that I should have no
difficulty in meeting them as they fell due; but the depression
of property during the last three years has been so great
and its causes are so well known, that I need not describe
the impossibility of realizing any money by the sale of Town
lots or of any landed property, without great sacrifices. Such
being the fact and in order to avoid a most ruinous law
suit, and at the same time to secure the College in the
most ample manner, I beg leave to propose, that the
Council will be pleased to accept the joint bond of Benjamin
Thorne and myself for the full amount of the four notes
of £187.10..0 each, with interest up to the present time,
amounting in all to about £900. by for a term of four or
five years, with interest thereon payable half yearly
on 30 June and 31st December of every year. In addition
to which I have also to offer a Mortgage on good landed
property to the entire satisfaction of the Board: - whose
compliance with this my request will not only secure
the debt without doubt, but will enable me to dispose
of the Town lots herein mentioned or other property, to
much more advantage than any forced sale with allow-

it being but reasonable to hope that the Province will in the course of a year or two completely recover from the stagnation of the present times.

Me^{rs}: Hagerman & Strachan
Solicitors.

I have &
(signed) Thos G. Bidout.

To

Sir

H. C. C. T. 3^d March, 1840.

Jas Strachan Esq^r
Solicitor

In reply to your letter of the 26th Ult^o transmitting a proposal from T. G. Bidout, Esq^r, that the Council of King's College would be pleased to accept of the joint bond of Benj^t Thorne, Esq^r, & himself for the amount of his four promissory notes, now held by the College, with interest, for a term of 4 or 5 years: with a mortgage on good landed property for the entire satisfaction of the bond, I have the honor to inform you that I submitted the proposal to the College Council at their meeting on the 26th Ult^o whereupon they made the following minute;

"Resolved, that the proposition of Thomas G. Bidout, Esq^r, be acceded to except in so far as the interest is concerned, which is required to be paid up immediately. The bond to be secured by mortgage on landed property. — And that the solicitor be instructed to receive Mr Bidout's proposals as to the property to be taken in security, and to report to the Council as to the title & value of the same."

If, therefore, as agent for Mr Bidout, you will have the goodness to communicate with the Attorney General, who, for the present, acts as Solicitor to the University, the matter can be proceeded with.

I have &

A. B., Registrar H. C.

To

Sir,

King's College Office, Toronto, 5 March, 1840.

The Honble Mr Justice
Sherwood.

I have the honor, by direction from the Council of King's College, to enclose to you for the consideration of the Honorable the Judges of the Court of King's Bench, Visitors of the University, the Statutes proposed by His Excellency the Chancellor of the University, and passed & adopted by the Council of King's College at their meeting on the 29th Ult^o.

I have the honor &

A. B., Registrar, H. C.

To the Statutes see
2^d Vol. of Minutes of Council p. 163-2.
also book of Council p. 11.

From

Dear Sir,

Friday Morning (21st Feb^r 1840)J. M. Strachan Esq^r
Collector.

The Bond from Mr Barber was drafted agreeably to the account sent to us some time ago, but that gentleman wrote me word that he would not consent to sign a bond made out according to the account transmitted to us, but that he would see you upon the subject. Have you any instructions to give in the matter as the sooner all the business which we have to do for the King's College is wound up, the better. Mr Barber's papers with the exception of the bond are ready to deliver over, and Colonel Wells's I can promise for next week fully completed. I am at this moment prepared in drafting the new deed to the Crown of a portion of land for the erection of an observatory thereupon, and as soon as completed it shall be sent to you.

I am, Dear Sir, &c

J. M. Strachan

From

Sir,

Toronto U. C. Feb^r 22nd 1840.

Mr Barber.

see my letter to Mr
Hagerman 8th Feb^r
this book p. 31.

Mr Hagerman has communicated to me the order from King's College relative to the final settlement of my account with Upper Canada College as late collector to that institution by giving my bond at 5 years for the balance, and which balance is stated in an account accompanying the order to be £1539. 3. 11 less the amount of lands conveyed, debt with which in that account I am not credited.

As it appears to me a novel proceeding for any officer in King's College to make out a new account from the materials furnished in my own rendered and particularly without any reference to me on the subject. It is necessary before giving the said Bond that the correct amount should be determined. I therefore beg to enclose my revised account current as the basis on which the Balance for which the Bond is to be drawn, should be calculated, holding myself prepared to correct the same where any errors can be shown to exist.

To Hon^{ble} Boys Esq^r

Bursar, King's College.

I am &c

Geo. Aub. Barber.

see my letter to Mr Barber
8th Feb^r 1840. p. 31.

From

Sir,

Toronto March 13, 1840.

W. H. Boulton, Esq.

In reply to yours of the 11th instant I beg to state that I am prepared to transfer to the College Council or to such person as they shall appoint fifteen shares of the Gore Bank stock provided the balance coming to me thereon be paid at the time of transfer. Fifteen shares at five lbs. pounds and ten shillings will amount to £187.10.0 & interest on that sum at the rate of 8% per annum has been running for some two or three months. The College claim on the 26th Feb^r was £187.15.0. so that there will probably be two or three pounds in my favor. Yours reply to the above and as to the transference same will oblige your obed^t Serv^t

H. Boys, Esq. Barrister &c

(Signed) W. H. Boulton.

To

Sir,

R. C. C. T. 16th March, 1840.

W. H. Boulton, Esq.

In reply to your letter of the 13th Inst^t respecting Mr Robinson's promissory note, there is no objection to paying you the small difference that may be over upon 15 shares of the Gore Bank Stock with the interest thereon to the day of transfer.

You state the amount of the note with interest to 26th last February, to be £187.15.0 which you will find is £1 too much in our favor, the true sum being, as I stated it in mine of the 3^d Inst^t £186.15.0. You will have, however, to add interest to the day of transfer.

The stock must be transferred into the following two names, for the use of King's College, viz^t

The Right Rev^d John Strachan, Lord Bishop of Toronto
President of King's College, Toronto.

D^r Henry Boys, Barrister, King's College, Toronto.

I have &c

H. B. Barrister R. C.

From

Dear Sir

17 March 1840

Hon^{ble} W. H. DraperAtt^y General

I have no copy of the memorandum authorizing real security to be taken for the debt due the College by Mr Thos Ridout & Mr Radenkurst. Will you let me know the particulars as both these gentlemen have been to me on the subject. Yours very truly

H. Boys

(Signed) W. H. Draper.

To

Dear Sir,

H. C. C. T. 17 March, 1840.

C. H. Draper Esq.

Mr General

I send you a copy of Mr Widdow's letter on the subject of his proprietary notes, and of the minutes of Council made thereon.

Mr Widdow has not made any communication through this office, and I know nothing of his case. Nothing has been before the Council respecting him. I remain Dear Sir, &c.

W. B.

Toronto March 11th 1840.

From Mr Barber

Sir

see General letter book p. 40.

I have to acknowledge the receipt of your communication of the 3rd Instant, with the accompanying Memorandum.

I have already refused my assent to the practice adopted in your office of putting my accounts as collector into another shape, when there does not exist in your office any book to call for the alteration, and I repeat if there are any errors in my accounts I am ready to correct them.

A notice in the report of the Committee of the recent Commission on the subject of Education that the amount of the Balance is there stated in the appendix C viz £1551-3-8. In the Copy of the minutes of Kings College Council it is stated at page 55 to be £1500-3-11 and at page 58 & 59. £1534-3-11. Three different amounts are all derived from your office, and their discrepancy with each other and my statements naturally leads to an inference I have no desire to discuss. I therefore apply myself to the items in the memorandum.

I have received; and discarding three of 7 and 1 as not affecting the amount in any way worth notice. I beg to say with regard to the first of 35 (thousand unpaid) that it could hardly be expected (with the trifling allowance I received a trifle more than £30 per Annum) that I should bear that loss, but should that even be insisted on it is evident that as

The risk attending disbursements a duty already within those of a Collector is to be born by the party making them, he should be allowed the same *Pr* Centage on them as in receipts otherwise it would be an inequitable system. I therefore, if this £35 be charged against me, make as a credit charge £35-3-4 being an additional 3 *Pr* Cent on the sum of £1838-17-6½ disbursed from the date of my appointment to the resignation of the office of Collector.

With reference to the second item of £50-10-10 overcharged as *Pr* Centage I beg to say that if you would be good enough to look at the terms of the appointment of Collector for 1830, you will find that the three *Pr* Cent was allowed on all sums received and that consequently I am entitled to the amount I have charged under that head; the sums allowed to W. Breakenridge included in M. Delatoy's Bond and received in Inscoe's notes come of course under that head because the two former were received by the College for me as Collector, and the latter was received in the ordinary way. Indeed I have always considered myself fairly entitled to my *Pr* Centage on the amt of M. Delatoy's debt of £483-14-11 taken into the hands of that Bursar by that Gentleman's bond to Kings College - inasmuch as the collection being taken from my charge ought not to deprive me of my remuneration connected with it. I see therefore no reason for the alteration which has been made by you in this item.

As regards the item of £1-10-2 (our Credited in Balance due by pupils) I beg to say that that amount should be charged in my favour as is stated in my letter to the Principal of Upper Canada College from whom I assume this item of information was derived, as follows,

Errors against me on pecuniary Acc^t £ 16 " 3 " 10
Errors in my favour do do £ 17 " 14 " 0
Balance in my favour £ 1 " 10 " 2.

I have now gone through these various items and I do not find any sufficient reason for changing the Acc^t I had the honor to enclose to you with my communication of Dec^r 22/40.

I am most anxious that this long protracted business should be closed and I should be sorry to impede so desirably a circumstance to me. But as contrary to my expectations the Council of King's College have required my bond at 3 years for the whole Balance and it will be in their power or in that of perhaps another Council upon it, and perhaps incarcerate me if not duly paid, it is a duty to see that the amount be that which I admit to be correct so as to lighten the obligation as much as possible

Remain Sir
Yours Obedient Servant.
Geo Barber.

Mr George A Barber late Collector College dues in acc^t with Upper Canada College			
1835			
Dec^r 31 To Cash in Collector's hands			
Balance due by Pupils to this date			
March 20th By sundries rec^d			
Cash paid to Bursar			
Cash disbursed			
Settling Surplus acc			
March 20th To amount charged			
Pupils for dues Books &c			
Since Dec^r 31st 1835			
£ 9149 " 5 " 1			

W. B. Robinson Esq. Memo: Received a letter this day, 18th March 1840, from J. H. Hamilton Esq. agent for W. B. Robinson Esq. enclosing a power of attorney to be signed by the Bishop of Toronto as President of the University, and by myself as Bursar to enable Andrew Hesse Esq. of Hamilton to accept for us on account of the College some Bank Stock for Mr Robinson's promissory note. By advice of the attorney general some slight alterations were made in the form of the document, limiting it to a transfer of 15 shares of that stock. The Bishop & myself having signed it I delivered it myself this day at Mr Gambler's office.

To My dear Sir, K. C. O. T. 18th March 1840
Colonel Wells
I am sorry to inform you we have met with another case of omission to credit a sum of money by Mr McDoubt to the amount of £82.5.0. If you can make it convenient to call I will explain to you the circumstances.
I remain &c. W.B.

From
S. B. Harrison Esq. Government House
Toronto 20th March 1840

Sir,
I have the honor, by the command of the Lieut. Governor to return you the enclosed statement of receipts and disbursements by the Bursar of King's College to 31st December 1838 and I am to request you will have the goodness to bring down that statement to 31st Decr 1839, distinguishing what of the assets of the Institution are immediately available, and what are due from individuals.

I have the honor to be Sir
Your most O^bl^t Humble Serv^t
S. B. Harrison

To K. C. Office Toronto 24th March 1840
S. B. Harrison Esq. Sir

In reference to your letter of the 20th Inst^t transmitting a statement of the receipts disbursements by the Bursar of King's College to 31st December 1838 and requesting us to continue the same down to 31st December 1839.

I have the honor to enclose you a statement made out conformable to your desire and beg to return you the statement you transmitted.

I have the honor to be Sir
 J. B. Harrison Esq. Your most obedient humble Servant
 Private Secretary W. Boys
 Bessar M.E.

From ~~Mr. J.~~ Government House 23 March, 1840.
 Mr. Secy Harrison presents his compliments to Dr. Boys and begs to enclose a memorandum by the Lieut Governor relative to some information on College matters which he desires Dr. Boys to furnish.

Mr. Harrison also encloses a note just received from the Reverend Mr. Mathews and would feel obliged by Dr. Boys's letting him know whether he by any chance may happen to have the certificates & testimonials referred to as Mr. Harrison does not find that they are in his office.

Enclosures.

Immediate. I believe I have only attended the College Council 4 times it would not therefore be difficult for Dr. Boys to see & let me know what were the general subjects considered at those meetings.

2. At an early period after my arrival a Plan for the erection of the University & externals were before the Council. I wish to know what was the amount of the estimate & what the tenders.

Signed J. B.

Upper Canada College March 19, 1840.

The Rev^d Charles Mathews presents his compliments to the Civil Secretary and will feel obliged by having returned to him the certificates & testimonials placed in the hands of Mr. George Arthur at the time of his applying for the Principalship of Upper Canada College.

To

Sir,

H. C. O. 5. 23 March 1840.

Mr Secretary, Harrison

It appears by the minute book of the Council of King's College that His Excellency the Agent Governor has presided at five meetings of the College Council on the following dates, against which I have set down the general subject considered on those occasions.

May 7 1838. The retirement of Mr Harris as Principal of H. C. C. with the necessity of immediately applying to the Secretary of State for a successor.

April 20. 1839. The address of the House of Assembly for information respecting the management of the affairs of the University.

The appointment of a committee to report on the state of the Bursar's accounts.

Found not advisable to commence the building of the University.

July 11. 1839. Report of the Committee on the Bursar's account, Mr Barber removed.

Bursar removed.

Mr Kent appointed Bursar.

President relinquishes his salary.

Feb 25, 1840. The letter of His Ex^{ty} the Governor General on the subject of the late Bursar's defalcation, and on the loan to the President.

The President's letter explanatory of the circumstances under which a sum of money had been advanced to him a twelvemonth prior to the loan being authorized.

Mr Inall's appointment

Dr McCaul's plan for bringing the University into speedy operation.

I enclose a statement of Estimates & Tenders for building the University in the early part of the year 1839 which I believe conveys the information His Excellency is desirous of obtaining on these subjects. I have &c -

H. B. Bannister.

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Mr. J. Harrison

Sir, K. C. O. I. 26th March, 1840.

I have the honor to enclose to be submitted to His Excellency the Lieut Governor, a copy of one of the Returns, No. 5, of those sent to His Excellency the Governor General from this office for the purpose of being submitted to the Legislature. I beg to observe on this Return which is an estimate of the annual Income & Expenditures of the University; that I consider the sum entered therein under the head of 'Rents of Land' to be two or three hundred pounds less than it ought to be. But on the other side I think the expenses of the Bureau's office will be increased in future, and I would not advise the surplus income after deducting the expenditures to be laid at a higher sum than that which is shown by the document; that is, about £4200. a year. This estimate was formed on the affairs of the University as they stood at the end of last year; but it is reasonable to expect that we shall go on selling more of our lands and letting more, which will increase our income, and there is another source of increase continually going on in the augmentation made every seven years in the rents of all our Leases.

I have &c

A. B. Mansel K. C.

From
Mr. R. C. Has & Matthews
to

Sir Upper Canada College March 16th 1840

is of the Lieut Governor
and in Council 28 March
No. 22. n. 3. Vol. II. p. 100.
The original returned to the
Gov. on 3rd Sept. in compliance
with the order of the
Council.

I have no time in committing to paper, by your Excellency's desire, the substance of my remarks on my late interview with your Excellency on the subject of the proposed changes at Upper Canada College.

Having been connected with that Institution for more than ten years, and borne a part from the first in the arduous struggle through which it has fought its way to the cordial approval, support and confidence of the country, no one will be surprised that I should feel deeply interested in its future fortunes, and look with no little anxiety at any attempt to modify what may now be justly considered its established character. The Education which it proposes to give is a thorough one, and to accomplish this object it has been provided liberally with Masters, but not too liberally.

For one or two short periods the means of tuition may have slightly exceeded the demand, but the decreased classes admitted of & received the more careful attention. The same amount of time and zeal was expended in instruction, whether the pupils were more or less. Nor can numbers be considered a safe rule by which to judge, exclusively, of the usefulness of any educational establishment. The pupils under my charge have varied from twenty to twenty-five. The junior classical Masters have always had their hands full. The pupils, under the Principals' sole charge, have indeed been few, owing partly to the slowness of the process of working up in a new country any material at all to a high pitch of mental cultivation and partly to the difficulty made by parents in protracting the studies of their children at a certain expense, and, as it was then regarded, a doubtful advantage. A wiser judgment now prevails, and the principals' class is no longer disproportionably small. At times, however, when this was not the case, the general superintendence allowed no leisure to the Principal; and N^o Davis, a gentleman most considerate in all he said, has been repeatedly known to excuse himself from occasionally occupying the pulpit of this town on the plea of his laborious occupation out of college hours in correcting exercises and attending to the external calls of the Institution. In the course of a fortnight it is the Principal's duty to examine all the classes, and it was N^o Davis' practice ever industriously sustained to examine in a manner and on subjects minutely and exactly corresponding with the manner of teaching, and with the subjects taught, by the respective Masters. At no time do I think Uⁿ College justly chargeable with superfluity in its appointments, nor if regard be had to the style and quality of its instructions with extravagance. Indeed by competent judges no complaints of this kind have ever been made. The reduction of the establishment on the score of redundancy and economy has been demanded in the Governor's report, but, if I remember right, under the answer given to that document by the Secretary of State Upper Canada College with all her honors, may as far as

She is concerned repose in security.
 Since, however, the expense of UC College has been insisted upon with reference to the proposed changes, it will be proper to say a few words more on this subject.
 The number of its Masters is considered to be too large. By a reference to the lists of public schools in England to be found in any of the better almanacks, it will I think, appear to have no more than its due share. I copy a statement from Gilberts Clerical Almanack for the year 1829

Eton

Head Master J Keate D.D.
 Under Master Rev^d J Carter M.A.

Assistants

Rev^d C Yonge M.A. Rev^d J Chapman M.A.
 Rev^d W Heath M.A. Rev^d J Guen M.A.
 Rev^d H Knapp M.A. Rev^d G J Dupuis M.A.
 Rev^d E C Hawtrey M.A. Rev^d J Wilder.
 Rev^d R Oke M.A. in all Eleven Masters

Westminster

Head Master Edmund Goodenough D.D.
 Under Master The Rev^d Henry Bull M.A.

Ushers

The Rev^d George Preston M.A. Robert B Bourne M.A.
 The Rev^d W C Toller M.A. Rev^d Charles W Kingscott M.A.
 The Rev^d Hugh Hodgson M.A. in all 7 Masters.

Winchester

Principal Rev^d B Williams D.C.L.
 Second Master Rev^d Chas Riddling B.C.L.

Assistants

J Swanton B.C.L. W Bury M.A.
 Edward Wickham B.A. Robert Shuckburgh B.A.
 in all six Masters.

Harrow

Head Master George Butler D.D.
 Under Master Mark Spry B.L.

Assistants

Rev^d Bery Evans M.A. Rev^d William Mills M.A.
 Rev^d H Spry M.A. Rev^d S E Batten M.L.
 Rev^d William Dury M.A. in all 7 Masters.

The numbers of Scholars at each of the above Establishments I am not at present able to specify.

They all profess to give a purely classical Education, and the Masters are exclusively classical. Whereas at W.C. College Education takes a wider range, and may be said to omit nothing as far as it goes, essential to the name. She provides only 4 Classical Masters, including the principal. Can any school of equal pretensions, be named, in Gt Britain or Ireland which employs fewer. The Masters of W.C. College are said to be overpaid, at a salary of £300. St. and a house will it be believed that the gentleman enumerated above all distinguished Graduates of Oxford or Cambridge can possibly receive less. The nominal salary provided by the endowment may be less, because it remains in figures what it was at the time of founding. But the emoluments they derive from the discharge of their duties must far exceed that amount or they would not be found engaged in the work. Is it not in a very narrow spirit that the services of persons competent to the task of finished Education are undervalued, when the incalculable importance of the adequate execution of the task is considered? and in a country like this where ignorance tends to estimates on this head more incorrect than elsewhere ought not a stand to be made against the encroachment of Opinions so unfounded, and so prejudicial to a right understanding and treatment of the subject of Education?

Of all the voluntary evils which afflict mankind, Cheap Education is certainly not the least.

In Estimating the remuneration made to the Masters of W.C. College who came purposely from Europe, the surrender of their connections and prospects at home, their transfer of a valuable commodity to a country where it was so scarce. The difficulties of clearing the educational ground, the relative value of money here and at home, the impossibility of adding to their incomes from any other sources together with the necessity of providing for the infirmities of age

ought justly to be taken into the account.

It follows as a natural consequence of entertaining the above objections that it should be proposed to do the work of the institution in future with fewer hands and at a less cost. If it be not seriously intended to impair the efficiency of U.C. College the practicability of such a proposal should be well considered. To this end it will be prudent to take a comparative view of the Establishment, at its first organization in 1829, the establishment as it now is, and the Establishment as it is proposed to be.

Upper Canada College in 1829.

Principal: J. H. Harris LL.D. late fellow of New Hall Camb.

Vice Principal. Tho Phillips LL.D. Lucas Coll Cambridge

Mathematical M^r. Rev^d Chas. Dade A.M. Fellow of Caius Coll. Cam.

1st Classical M^r. Rev^d Chas. Matthews A.M. of Pembroke Coll Cam.

2nd Classical M^r. Rev^d William Boulton A.B. of Lucas Coll. Oxford.

Master of Preparatory School M^r Padfield

French M^r. M^r De la Haye.

Writing M^r. M^r Barber.

Drawing M^r. M^r Haery.

At the head of the above list stands the name of a Gentleman in holy orders, who after receiving his early education at St Pauls School London a Seminary eminent for sound classical training proceeded to the University of Cambridge where on taking his degree he carried off the highest Mathematical honors, being fifth on the list of Wranglers, the well known name which the university bestows on the most distinguished of her scientific sons.

Associated with him were 5 Gentlemen all in holy orders, who undertook the charge of the Mathematical and classical departments. A vacancy occurring soon afterwards was filled up by a gentleman upon the spot, who did not enjoy any academical degree with this force were achieved the first educational labours of a Collegiate nature in this Province.

Upper Canada College. 1840
 Principal: The Rev^d John McCaul LLB Trin Coll. Dublin
 1st Class M^r: Rev^d Cha^s. Matthews AM. Pembroke Coll. Cam.
 Math^s M^r: Rev^d George Maynard AM. Queens Col. Cam.
 2nd Class M^r: J^r B. Barron Esq. Scholar Queens Col. Cam.
 3rd Class M^r: Rev^d Henry Scadding AB. St Johns Col. Cam.
 Master of Preparatory School. M^r Cosens.
 Writing Masters - Mess^{rs} Duff & Thompson -
 Geom^y & Drawing Master M^r Howard.

There are about 170 pupils receiving instruction at this moment at U.C. College of whom only 143 attend (by choice) the classical Masters amongst whom they are distributed nearly as follows.

Principal	7 th form	12 Pupils
1 st Class Master	6 th & 3 rd forms	24
2 nd do do	5 th & 2 nd —	45
3 do do	4 th 1 st —	37
Preparatory School M ^r : Prep. School.		23.

Proposed School department U.C. Coll. 1840
 Head Master J^r B. Barron Esq. Scholar of Queens Col. Cam
 2nd Master Rev^d H. Scadding AB. St Johns Coll. Cambridge
 Master of Preparatory School. M^r Cosens.
 Math^s Master — M^r Duff
 Writing do — M^r Thompson
 French do — M^r De la Haye
 Drawing do — M^r Howard.

As the same subdivision into classes must be maintained as hitherto some such arrangements as the following must be made

The Head Master	to have the	7 th & 6 th forms
2 nd do	do	5 th & 3 rd do
3 rd do	do	4 th & 2 nd do
Preparatory M ^r : do	do	1 st do

This distribution gives the charge of two forms to the head Master solely which S^r Harris attempted but in vain. Slightly he abandoned one of them and found the 7th form and the general superintendence to occupy the whole of his time.

When doing the duties of Principal and first classical Master I was enabled after a few months to incorporate one or two remaining pupils of the 7th with the 6th Class with which united class and the third class I found myself so thronged as to be obliged to devote much extra time to them. Experience also proved that they interfered very injuriously with the general superintendence ~~specifying~~ to the system. It will also be observed that the arrangement as above will leave three forms wholly unprovided in two of which the instruction is fundamental.

It is stated that the 7th & 6th forms (28 pupils) may at once be matriculated as Students: but I cannot think seriously stated. Perhaps one or two are advanced enough to enter upon an academical course, certainly not more, the remainder even if they were qualified, only those of course, whose parents desired it would do so and they would be few indeed. But supposing the whole or quite part to offer themselves, would it be wise or comport with the dignity of the new Institution to admit so many striplings to academical rank. And here I shall take the opportunity of stating my conviction that so long as U.C. College shall be regarded as preparatory seminary for the University and a model school for the other Grammar Schools of the province, it will be indispensably necessary to carry education to the same point as it is at present carried to. Consequently there must always be a 7th & 6th Form, or forms studying the subjects read in the existing 6th & 7th forms. The Studies of the University cannot be taken up at a point lower than that at which the education of U.C. Coll. now terminates without lowering its character at least as an aspirant to European fame, and the other District Grammar Schools would soon learn to despise a model in no respect excelling or elevated above themselves.

From what has been more immediately said I think it must be apparent.

1st That if the existing establishment be subjected to the proposed reduction it will be idle to hope to preserve its reputation and efficiency and to expect to effect the same desirable ends with such vastly diminished means.

2nd That the direction of the University or any share in its government or office in its administration cannot be undertaken in conjunction with the superintendence of the School department. But if the place of the officers to be promoted to duties of the University be supplied at the College there remain some important considerations.

1st Who should be placed at the head of the school?

I should answer: Let no one in any material respect inferior to those who have hitherto filled the station be appointed to it. Let him be a stranger to the masters who act under him not their companion. Let him be capable by superiority strongly marked superiority of Rank manners, and attainments of inspiring respect and inducing an easy obedience. He should have received his education at one of the Public Schools in England - have approached himself to his College & University (either Cambridge or Oxford) as a good Classical and Mathematical Scholar and after quitting College he should have been engaged in Teaching.

To secure a Principal who shall answer to this description and to prevent disappointments he should be chosen after the same manner as L^d Harris and his associates, who were elected after long Public advertisement by a body of electors consisting of the Vice Chancellor of Oxford the Principal of Elizabeth College Guernsey One of the Principle Masters of Eton College - I must not omit to mention that I think it of very great advantage that he should be on holy orders. The Country would not object, as it may be urged they have not objected hitherto. With all the religious jealousy that prevails. Necessity is upon them here as in England.

The Clergy of the Church are in undisputed possession of the Education of the English youth and all parties admit the advantage of that state of things. It has been conceded that the president of Kings College need not be an Ecclesiastic which in all probability ensures his being one.

I may here subjoin one word as to the principles on which it would be prudent to make the promotion from the College to the University.

1 The party to be preferred should have given satisfaction as a teacher before he becomes a Professor.

2 There should have been sufficient indications of competency for the higher duties.

It would it be advisable to carry on the business of the School in the present buildings or, erecting a new School room to convert them to University purposes?

A new school room with its appointments can hardly cost less than 16 or 17 hundred pounds

when it has served its purpose (a) when the building shall be raised on the proper University site (which is looked for by the least sanguine in 9 or 10 years) so much money will be sunk - for to what appropriate uses could it be applied than for which the present building would not be amply sufficient?

Is it prudent for a temporary accommodation to sacrifice so large a sum? The present proposal provides no residences for the Masters who may or may not find houses so conveniently near as to ensure that punctual appearance at their posts so necessary to good order.

When none of the Masters are resident this is a most important consideration, indeed I think such a case to be anomalous. One house at least must be provided for the Head Master on the spot. I may add that a residence for the 2^d would be almost indispensable. If this should be admitted the expense of the new

buildings could not fall much short of Three Thousand pounds. In addition to which there will be the annual allowance of £50 to the French master in lieu of his present residence, which will be very nearly the interest of a thousand more. Moreover if the transfer be ever so much softened by the character of the new appointments and the excellence of the new accommodations, is there nothing startling in the idea of excluding the class of persons now educating at the college, from the walls and precincts to which themselves and successors seem by their venerated noble Founder's intention, and by the gracious bounty of the sovereign, to have acquired a peculiar, sacred, and inalienable right? Have the adults who are now to be received at their removal a right more sacred and indefeasible?

The Question next arises: If the present buildings be converted to university purposes, will they be suitable?

The present School house will furnish a tolerable Chapel and Lecture rooms, and the Master's house will accommodate the professors - but where are the accommodations necessary for the students? it is answered, "License Lodging houses in the Town for their reception." I should regard such a proceeding as fatal to the hopes of the University. What thoughtful parent would risk the keeping of his son to such an expedient, what disorders might not be expected to arise from a promiscuous intercourse at all times of the students with the Towns people. Prejudicial to the peace of both? The Students so situated would not form as they ought to do, a society of themselves, and their manners from their tutors and each other, but from those among whom they mingled in ordinary life, and thus one great benefit of the academical career would be lost, or vitiated. In some of the larger and more popular colleges at Oxford and Cambridge some students from the vicinity of the ^{campus} ~~case~~ be received within the walls, but those who are not received are in constant

intercourse with those who are, and are subject under a private roof to the same rules as their fellow-students within the college walls. They are moreover lodged in houses, the owners of which lie under heavier responsibilities than to the University which licenses them, than the power of Kings college would impose. It is easy to perceive that the licensing system alone would infallibly lead to the introduction of the Free System into this country of which a most able writer speaks in the following terms:-

By the free system of Universities, I mean that system in which there is no discipline such as I have described, the students being left to act without control, both as to attendance upon the lectures and other appointments of the college, and as to manners and conduct in general. It is to be observed that this free system is perfectly consistent with examinations and public trials at certain periods for these processes are so far from implying discipline, that they do not even imply the students residence in the intervals between the public occasions. The free system is the one which is understood to prevail in a large portion of the Universities out of England. The Germans consider academic freedom as one of the main principles of their Universities but this has never been the system of English Universities. It is however the system towards which we tend by every relaxation in the enforcement of our discipline, and by every resistance to discipline on the part of our students. It may therefore be useful to point out some of its features.

The Free University System is founded on the doctrine that there is no University control over the private and social conduct of the student. He is left like any other citizen to be guided by his own sense of propriety and controlled by the law of the land. But it will readily be supposed that a large body of young men, just emerging from boyhood, most of them belonging to families of some property

given over for the first time in their lives to the unrestrained exercise of their own propensities and judgments, will conduct themselves in a manner very different from the same number of citizens of any other class. Their newly felt freedom will need be exhibited in a conspicuous manner, and an opinion of their own superiority, which will naturally arise from sympathy and companionship will make them despise all who are not of their body, and thus if by ancient usage, the students wear a peculiar dress, their position will generate the turbulence and pride of the gown. If they are not so distinguished from their fellow Townsman they will soon find means themselves of making the difference between the Bursch and the Philister. That a body of young men who conceive that no right to control them exists, will receive with the utmost indignation all attempts to subject them to any kind of rule, will readily be imagined.

They will consider the cause of resistance as the sacred cause of liberty; and will, with the greatest self complacency, speak of, and behave to those who would impose any kind of restraint upon them, as narrow-minded oppressors.

We have examples of such a spirit among the medical students of our own Metropolis. Among these persons, we are told,* my attempt made to ascertain the regularity of the students attendance at the lectures, is held up to scorn as the lecture room spy system. But this spirit does not confine itself to resistance to rules, it soon assumes a right to interfere in the appointment of Professors and similar matters, or, at least to resent by active proceedings any such measures, when they do not suit the taste of the students. Thus there has recently been a tumult of this kind in one of the schools of Paris; and in Guernsey it is well known that the students have often manifested the offence they have taken on such

* British Magazine April 1837.

occasions by organized migrations or by putting some particular university under the conduct of the clubs of the young men.

These may appear to be extreme cases but they serve to show what that free University system is, which is opposed to the discipline system; and it is useful to recollect that we cannot decide from the one - without approaching the other. It is easy to conceive many other proceedings, which without assuming the principles of the free system in their full vigour are still inconsistent with the condition of persons under discipline. Such are, for example, all acts of a Political kind, as meetings or organizations for political purposes, Public petitions or Public discussions on the agitated questions of the day, and the like. Under the discipline system the student cannot act at the University except as a pupil. In like manner Public and tumultuous exhibitions of opinion by the cries of a crowd (although in the excitement to which crowds are subject even members of the governing Body may be drawn on to join in the shout) cannot in my calm view of Propriety be reconciled with the pupil's position. Indeed the aggravated and insatiable manner in which public applause is given by bodies of students is of itself an evidence that in such cases they feel that they are not merely expressing an opinion but gaining a victory over some expected restraint by the mode of expression. It often happens that meetings under such circumstances inflame themselves by their own tumults, till all order, decorum, and common sense are lost sight of; and the cries that are uttered, and the manner in which they are received, show how decided the tendency of such proceedings is, to make the actors in them lose all regard for good manners as well as for subordination.

It can hardly be doubted I think, that the tendency of the present system if introduced into the English Universities would be to corrupt the character and degrade the manners of the student. If they felt themselves out of the reach of censure and authoritative admonition on points of general conduct and habits, they would feel that the regulation of the fashions, manners, and principles of the Academic body was committed to their hands, and they would not fail to devise a system of their own. They would make their own rules of morals, their own codes of honor and honesty. and though I do not doubt that there would bear traces of the general morality, probity & good sense of the English character I fear they would be below the discipline standard. The teachers too among a crowd of self-willed and self-satisfied young men, who would be by the constitution of the Academic body their equals in all but knowledge, would be held in the opinion of the young men themselves, to be an inferior class of students. I do not suppose that the generous spirit of the young Englishmen of better orders, would ever take the tone which is said to prevail amongst the Medical Students of London* of representing the Teachers as interested in increasing the numbers of the students, and entertaining no other views towards them than to rob them of as much money as they can. But I do not think we could have that cordial respect and sincere deference of pupils to Teachers which at present generally prevails, at our colleges, except under a system in which the privilege of Remonstrance or admonition, which age, experience, and reflection give, was sanctioned and dignified, by being made at the same time a right and a duty.

I conceive therefore that any one who seriously wishes the education of our Universities to continue and extend its beneficial influences, cannot

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*

British Magazine as above.

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hesitate on every occasion which may occur to lead
his best exertions to the preservation of that System
of College and University discipline of which the only
alternative is a System of entire dissipation, and the
unbounded sway of youthful caprice, extravagance
and turbulence."

It may be asked whether these rules (of Trinity
College Cambridge) have been observed and what
the effect has been. And to this we answer
that both in this and in other colleges of the English
Universities these and similar rules have been
in force and in a great measure literally,
while in other cases, where the change of circum-
stances and manners, required a modification
of the forms, the spirit and tendency has been
preserved, and in all well conducted colleges
has regulated the temper and principles of their
usual proceedings. We may add also that the
effects of the discipline have been in the highest
degree beneficial, and have shown that such a
System ~~is~~ faithfully and earnestly administered
may in a great measure lead to a general prevalence
of that useful temper, that moral character,
those good manners and orderly habits at which
it aims.

The Impulsion made on the disposition by such
a system of discipline is stronger than might
be expected by most persons. Even tempers of great
lividity and Stubbornness, if they are met at every turn
of their extravagant & self-willed notions, with the
calm but severe countenance of a system of rules
like these, imposing punishment for transgression
so long as it can be ascribed to thoughtlessness, but
pointing constantly to the door, if transgression be
persisted in, are awed and tamed, and in a little
while moulded to their position. While the great
body of young Englishmen of the condition of those
who come to the Universities conform with a generous
obedience of spirit to rules, which are the very essence

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of the Institution in which they are placed and of which all the better natures of them see and feel the value. I am quite persuaded that no one could become acquainted with the temper of the students of our Universities towards their College discipline, and towards those who administer it, without forming a strong affection, and admiration for them, and a steady hope & trust in the beneficial influence of the College System upon their manners, temper, and practical Character.

Who can suppose that Englishmen are not ready to conform to a wise System of Discipline to enter into it with all their hearts and by this means to bring forth the very utmost strength of their strenuous, rational character? Who can suppose this that looks at what they have done and do, in this very manner in our Army, and in that unparalleled example of the combined force of strong Character; and arduous rule, our Navy?

To these just and powerful observations I shall only add that in regard of the kind of Discipline to be established in our University, we have the advantage of being in no degree fettered by any precedents existing in the two provinces; and that the English University discipline once introduced and submitted to has nothing to fear from future comparisons - Let it be also borne in mind if we commence at so wide a distance from the Discipline ultimately contemplated how invidious all subsequent change must become when every remove is from a lesser to a higher degree of constraint, and with what an ill grace our students after years possession of the Town, will submit to be called in from its animation & gaiety, to be immured as they will then speak within the dull and dreary seclusion of our Academic Retreat?

If in acknowledgement of the Truth and Force of these considerations it shall be deemed prudent at once to erect buildings for the accommodation

of the students Two thousand pounds will not be too large an appropriation. For that purpose, add this to the three thousand pounds for the school house and two Master houses, and the interest of another thousand pound to compensate the French Master for the loss of his College Residence and Six thousand pounds will be wanted to carry the university into operation at what is now called U C College.

It may be urged that the only alternative to the proposed plan is to postpone University operations for three or four years, at the obvious risk of increasing the clamour from those who have hitherto assailed the management of Kings College, on the score of dilatoriness & of giving color to rival claims to appropriations of College lands & of losing the advantage confessedly a great one of being first in the field of University Education. To these and other considerations I am willing to yield all thoughts of further delay. But let not our first movements, so long expected with murmurs, be from their forced precipitation & falseness, ^{of facts} ridicule or censure. Let nothing be undone, no admissions made of the futility of past proceedings there is no necessity. What we do further should be the most necessary part of a well organized whole, considered and put together by at least such persons competent to the task from education, habit, and experience as the neighbourhood of the Capital may supply. On this head I will take the liberty of presenting another very striking extract from the writer before quoted.

"If the destinies of the highest civilization of man be thus closely connected with the progress of truly liberal education and if it depend upon the constitution and conduct of educational Institutions, whether such civilization shall continue to advance or shall become retrograde; it is impossible not to reflect how grave & weighty is the office of those on whom it falls to found

and to put in action new Institutions of liberal-
education, intended to meet the requirements of
present and future ages. To do this is a great and
we may say a solemn task. Those who are engaged
in it must act as men building for Eternity. We
see no reason to believe otherwise, than that this
great Nation, hitherto so highly favoured with out-
ward and inward gifts (and with it, its vigorous
freedom, which, while peopling ~~and~~ civilizing the other
side of the Globe is involved in the intellectual
fortunes of its Parents) is destined by Providence
for an advance yet to be long continued in civilization
and refinement of the best and highest kind. Yet surely
if our final declension were certain, and if we could
yet, by our exertions so retard its progress that during
the three hundred ensuing years our condition should
be no worse than it has been for the last three hundred
years, this were a blessing and distinction among
the nations of the Earth, well worth the best resolves
and exertions the nation can bring to the task. When
therefore we attempt to construct Institutions of
education for the countless youth of Centuries still
to come, we enter upon a task full of solicitude &
responsibility, but full also of hope and promise.
And in this spirit should the office be discharged;
all narrow interests, and little jealousies, and limited
regards being laid aside, and the great object itself,
the transmission of the best portion of our own culture
to the Britons of ages yet unborn being steadily kept
in view; with this object we should guard especially
against bringing down the standard of our system
to the level which Transient and Partial circumstances
or popular prejudices, may suggest.

That Education which will secure to the future the
civilization of the past, and present, is that which the
country really requires and modes of education
which may attract for a moment but can produce
no effect of this kind, are of no value for the real
purposes of education, and can satisfy none of the real

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wants of the age."

Granting that something must be done immediately I may be asked what could you propose? As an individual opinion, I may venture to submit the following.

I do no respect impair the efficiency of U.C. College as it now stands, possessed of the public confidence, support and Esteem. U.C. Coll. may be said to be all that Kings College has ever done for the Country in the way of Education. But that all has been rightly done.

More than ten years of patient labour has been expended upon it, and well expended if its value were but known. Destroy it by neglect or violence, and you can never replace it. certainly you will have to feel the want of it. Its present results have been exactly what were contemplated in its foundation, viz Imparting such an elementary education of a higher order as should not only prepare a certain portion of its participators to be the recipients of a University education, but circulate by means of those who should not carry their education further forward, a taste for Classical and Mathematical Knowledge.

It may be stated that as only a small portion of the pupils of the school are likely to become members of the university, ~~and~~ the remainder may be considered as a burden upon the funds. But is this really the case? In the first place is the University likely to derive no benefit from the liberal education of the remainder? if they themselves stop short at the school education, is it probable they will chose that their children shall do so too? does not the progress of Society and the emulous ambition of successive generations warrant the contrary belief? Is it true in the next place that Upper Canada College has hitherto been a burden to any great extent for her annual expenditure on Kings College? Have not the Annual Grants prevented this? Is not U.C. College owing to the increase in her number much less

audaciouser now than formerly - and provided the integrity of the Establishment be maintained inviolate, may not that increase be confidently expected to reach such a height in the course of four or five years, as to under it very nearly, if not wholly, in finance at least independent of King's College? No other independence will U.C. Coll. desire, and no other should ever be imagined for her. When this shall have been attained, the University may boast of an appenage in her school at the least unexpensive and perhaps even profitable.

An appenage not, suffered to languish and die, a withered monument of injudicious culture ill-sounded hopes and ill considered outlay, not cut off like a Profligate Child without a Shilling not left to wither out a mangled existence like a mean game abandoned for a nobler quarry - but a favorite and cherished object, a darling and a well reared offspring, transmitting a rich and copious stream of pure blood into the veins of the generous and revered parent whence its nourishment was drawn - not humbly pleaded in apology but appealed to proudly in full and triumphant vindication of the cost and pains bestowed on it. This is ardent language but it flows from long attachment and though it may sound in the ears of a stranger like the tones of enthusiasm, will, while it stands excused even by him, find a response in manna bosoms neither insensitive nor ungrateful, to whom the associations of Upper Canada College are interwoven with the dearest emotions of the heart.

II Build at once upon the university grounds
 Let the buildings consist of a common Hall. a Chapel (both temporary and convertible to other uses) two or three Lecture Rooms a suit of Apartments for two professors (Classical and Mathematical) A Buttery and Kitchen and lastly accommodations for fifty students. Might not this be effected for Six thousand pounds & form a portion of a

Quadrangle the foundation stone of which may be laid with all possible solemnity. The Quins- government being about to erect an observatory on the spot the new building would rise more confidently by its side, and together they would present a respectable aspect. Let a good fence and gates be erected, and a porter lodge erected and you have the essentials of an University in an incipient State. The Public attracted to the spot and beholding the University where it has hitherto beheld a blank will no longer look upon the elegant and expensive approaches as disconnected with their final Object but in beautiful and actual unison with it, they will return through them in another mood and past murmurs will speedily be exchanged for contentment and even admiration.

I have the honor to Remain
With great respect
Your Excellency's faithful Servant
Chas Matthews

This letter from Mr Harrison to the Council is a reference to the letter of the Council to the Council in a letter from Mr Harrison dated 25 March 1840 - which letter is entered on the Council minutes of 20 March 1840. See C. M. B. p. 163.

Govt House 26th February 1840

Read in Council
25th March 1840.
M. B. Vol II. p. 166 167.

Gentleman,
I am commanded by the Lieut: Governor to draw your attention to the subject matter of the enclosed letter of the late Attorney General, with reference to the Law as it affects appointments to office in the University of Kings College, and I am directed to request that you will consider the subject with reference to the appointment of a Solicitor to the institution.

His Excellency desires me to call your attention to the following remarks as having a bearing upon the proper view to be taken of this subject.

1st That in the amended Charter the only place in which the mode of appointment to Offices in Kings College is specified, is that which relates to

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the appointment of Professors — In that case the appointment is clearly delegated by the crown to the Chancellor, in default of any exercise of the function of appointment by the crown itself.

2nd That the part of the Charter, which gives power to the Council to frame & make Statutes, rules, and Ordinances, seems to be confined to the abstract management of the subject in question — but contains no language which would appear to contemplate a personal matter to be that of appointing any individual.

3rd That the latter clause of the act amending the Charter, in which a nomination of Officers by the Chancellor subject to the approval or disapproval of the Council is spoken of, is confined in terms to Upper Canada College and has no reference to the University generally.

In this state of the facts, His Excellency has directed me to request — you will consider —

1st Whether as there are no words taking away the right of appointment from the Crown, it must not be considered that by virtue of the Prerogative, such right remains still vested in the crown to be exercised by the Chancellor, in all the cases not provided for in the latter clauses of the act. and

2^{ndly} Whether even upon the legal construction to be put upon the act itself, it must not be considered that the crown has also the right of Appointment.

to the attorney & solicitor general.

I have &c

Signed J. B. Harrison.

Attorney General's Office

Sir

29th February 1840

We have the honor to acknowledge the receipt of your letter requiring the opinion of the Law officers of the Crown, on the following questions relative to the University of King's College.

1st Under the Charter, does the right of Appointment of Officers, remain vested in the crown — to be

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exercised in all cases, not affected by the latter clauses
of the Statute of 11m 4?

2^{dly} Whether upon the legal construction of the Act
it must not be considered, that the Crown has the
right of Appointment?

Having carefully considered the Charter and the Act,
we have agreed on the following report.

When the Crown by letters patent, creates any lay
corporation all the power that remains to be exercised
over its affairs, independently of Express reservations
in the charter is the right of visitation.

It has been the practice on the erection of
a college or University, for the founder, whether the
Sovereign or a private individual to accompany
the erection and endowment with statutes for
its government; and the authority of the visitor
has been explained to be, "to proceed and act
according to the laws and constitutions granted
by the founder," in securing their adherence to the
purposes of these institutions and in settling disputes
respecting their management; not to manage and
conduct the internal business and affairs of the
Corporation, but to judge whether, what the Corporation
itself did in these particulars was according to
their constitution and statutes. — And thus, we find
that, when the Bishop of Chester, who was visitor
of Magdalen College was also appointed Warden,
and in that character had the duty and Authority
of admitting a Chaplain, The court of Kings Bench
granted a mandamus to him to admit the Chaplain
on the ground that, being Warden and visitor, he
could not visit himself. That the visitatorial power
was consequently suspended; that as was a visitor
in being viz: the Bishop the power did not revert
to the Crown, and that therefore the court would
interfere to prevent the failure of justice.

Universities are clearly lay Corporations,
when once erected, which, without the express or
implied consent of the crown they cannot be. Their

rights and powers, or the rights and powers must be found.
1st In the common law.

2nd In their customs, when the corporation exists by prescription -

3rd In their charters whether by letters patent or by act of Parliament.

By the common law, whatever is naturally incident to a Corporation for its existence and the attainment of the object for which it was created is held to be vested in such corporation, altho' not expressly mentioned in its Charter.

Such as, the right to have perpetual Succession and therefore to elect members in place of those dying or removing.

To sue and be sued by its Corporate name.

To purchase and hold lands.

To have a common Seal.

To make bye laws.

It is also a clear principle of Law, that the Crown cannot by the mere force of the prerogative, take away any immunities and privileges vested by Royal Charter.

In the present case the Crown has not retained the visitational power, to which as founder it has the unquestionable right, It was delegated by the original Charter to the Bishops of Exeter, and subsequently, by the 7 W^m 4. Ch. 16 to the Judges of the Queens Bench.

Those general powers which it has been shown are incidental to a corporation, have been in express terms granted by the Charter Subject however to certain particular restrictions.

As regards the present question, no restriction is imposed, excepting on the appointment of Professors which is to be exercised by the crown or Chancellor.

The power of making statutes among other things, respecting the number and duties of Officers and servants, is expressly conferred on the council.

It therefore as has been shown, at common law this power would have been incident to the Corporation.

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though not mentioned in the Charter, it must acquire
and not lose force by being expressly granted.
We are of Opinion therefore,

1st That under the Charter itself the Council have
vested in them the right of appointment to such
offices as they may by Statute create; The exercise
of this right may be regulated by Statutes to be
made according to the Charter.

2nd That the Act of 11th 4. does not alter the power
of the Council as to such appointments further
than the words of the Statute expressly extend.

We have &c

Witness our hands and seals this 7th day of March 1840.
L. S. B. Harrison, Secy. Signed J. H. Draper At G. C.
W. B. Baldwin, Secy. Gen.

Toronto March 7th 1840.

From

Sir

W. Henry Sullivan

Will you do me the favour to lay before the College
Council an offer of my services to fill the situation
of Curator of the museum, and Demonstrator
of Anatomy to the University.

I make the application thus early because
the Professors of Anatomy and Surgery will require
at the very opening of their lectures a number
of Preparations which will necessarily take a
considerable time to get ready. I conceive the
Council will find upon inquiry the importance
of commencing an Anatomical Museum immediately.

Should this be the case and the Council be
favourable to my appointment I shall I believe be
able to lay before them satisfactory testimonials of
my qualifications. I have the honor to be

Sir

Your most Obedt Serv^t

Henry Sullivan

Read in Council
28th March, 1840.
see C. M. B. p. 167.

ans? 7 apt. 1840.
see this book p. 81.

March 24. 1840

From
Hinsdale,

Sir

Tomorrow being the regular College Council day I beg to remind you of the matter respecting which I had the honor of an interview with you some two or three weeks ago; viz. the payment to me by the college of the sum of money remaining due on the purchase of certain land bought by Mr Barber of me and by him transferred to the College with the express understanding that the said sum of money and interest should be paid to me.

If you remember you expressed your inability to decide on the meaning of the former orders of the Council relating to Mr Barber's affairs, and you thought it possible that the aforesaid sum of money could not be paid to me, until Mr Barber had executed a certain Bond which the Council required of him. I now respectfully solicit the decision of the Council definitively upon this point; and with this new request that you will be pleased to call the attention of the Council thereto tomorrow.

The subject has been long in an unsettled state, and I am sure it will be for the benefit of all parties concerned if no more time be lost in bringing all matters to a conclusion.

I embrace this opportunity of stating that the fence which stands upon the Boundary line between the College grounds and mine, having fallen into a state of insecurity and bad repair and being moreover of an inferior description and such as did not become either the College property or my own, I have, in pursuance to an intention which I made known some time since to your predecessor) by suitable additions repaired the said fence and have also by suitable additions, made it a well creditable to our respective grounds.

Enclosed herewith I have the honor to enclose an account of the costs of the said repairs and additions, and I trust the Council will see no objections to value the amount with me.

I observed the greatest economy in these improvements,
 May I therefore beg of you to lay the account also before
 the Council tomorrow, and to obtain an order for
 the payment of the one half of the same. If the charges
 be considered exorbitant I have no objection to leave that
 matter to any persons whom the College may choose to
 refer it to. But considering the great extent of boundary
 line to be securely fenced, I do not anticipate any objection
 and I think the sum of £21-1-10½ will not be thought
 too much to lay out upon nearly two hundred and
 forty Rods of fencing such as that is.

I have the honor to be
 Sir

Your Most Obedt Servt
 H. Hensley

To the Council of the University of King's College

From

Henry Sherwood

Having recently been informed that the
 Appointment of a Solicitor to the University, is exclusively
 in the Gift of the Council and that it is their intention
 to elect some professional Gentleman to fill that situation
 I beg leave to tender my services.

Had the power of appointment rested in the
 present Chancellor of the University I have reason
 to believe I should have been selected by him to fill
 the situation.

I have the honor to be -

Gentlemen

Toronto March 28. 1840.

Your Obedt and Devotd Servt

Henry Sherwood

From

Shackan & Burdett

Sir

Toronto 28 March 1840

Enclosed you will receive a check for £21-1-10½ being
 balance due by Mr Radenbush upon his notes to King's College
 provided his mortgage herewith sent be accepted by
 the Council. The security is considered by the Attorney General
 to be simple.

We have the honor to be Sir

Your Most Obedt Servants

Shackan & Burdett.

Toronto March 22nd 1840.

From
Mr Ridout.

Sir
I beg to send you a mortgage and Bond from Mr Ridout to the Kings College, which were prepared at this office at the Atty Generals request, he having approved of the security offered; enclosed you will also receive a check for £21-11-y being the Balance due up to this day by Mr Ridout upon all his notes giving him credit for the amount secured upon the mortgage viz. £875- - which we trust will prove correct.

This Mortgage can be returned to us for Registry at your Earliest Convenience.

We beg further to state that the Atty General has requested us to prepare a Mortgage from Mr Radenhurst to Kings College for the like sum which should be sent to you in the course of the morning. The security offered by Mr Radenhurst is also approved of by the Attorney General.

We are Sir

Your O^bd Servants

Strachan and Burns.

Kings College Office Toronto 31 March 1840

To -

My dear Sir,

The Hon^{ble} Col^l Wells

Reported to Council 28 March 1840. see C. M. B. p. 169.

The members of the Council are of opinion that you should see the receipt for £800-5/- given by Mr Ridout, about which I wrote to you on the 18th Inst. There are points about it which perhaps you might wish to enquire into. If you or your son George would oblige me with a call here I could better explain the matter to you -

I am Sir &c.

H Boys -

To

Messrs Strachan & Burns

Sir

Kings College Office 30 March 1840 -

I have the honor to acknowledge the receipt of your two letters of the 28 Inst. one of them accompanied with a Mortgage deed from Thomas Tibbs Ridout Esq for £875-0-0 and a bond from him for double that amount signed by him, and a check on Upper Canada Bank for £21-11-y. The other with a mortgage

drawn from John Radcliff Esq. for £375. - but without any bond but with a check signed by him on the Upper Canada Bank for £211.9.

Your said letters were read in the Council of Kings College on the 28th Inst whereupon the following Minute was made: That the security be -

I herewith return you the two Mortgages to be Registered

I have &c -

H Boys

P.S. I request you will have the goodness to send me the particulars of any incumbrances there may be on the Property assigned over to the College by Mr Barber, that I may take immediate steps for paying off the same.

H Boys.

To

Kings College Office 30 March 1840.

James E Small Esq. Sir

I have the honor to inform you that the Council of Kings College at their meeting held on the 28th Inst appointed you to be Solicitor to the University.

I have the honor &c -

To

Kings College Office 7 April 1840.

Dr Henry Sullivan Sir

I have the honor to transmit you a minute of the Council of Kings College held on the 28th Inst and

Have the Honor &c -

To

Kings College Office, Toronto 7 April 1840

Henry Sherwood Esq. Sir

Toronto

I have the honor to inform you that your letter of the 25th Ult addressed to the Council of Kings College, was laid before that body on the 28th Ult. The Council at the same time took into consideration the nomination made by His Excellency the Governor General when he was filling the Office of Chancellor to the University, of Mr James E Small to the situation of Solicitor, and were led to appoint Mr Small to fill that Office.

I have the honor &c -

H Boys

in minutes of Council vol. II. p. 166, 167.

in Dr Sullivan's letter of 7th March - this month. p. 77.

in the minute see M. B. p. 167.

in minute N^o 6 of 20th March 1840 C. M. B. p. 166

Kings College Office Toronto, 9th April 1840

Gentlemen,

Having read your letter of the 1st Inst. before the Council of Kings College, they have directed me to inform you that they wish you to complete such business of the College as may remain at present in your hands unfinished.

I have the honor to be.

A Boys.

Mr. T. A. C. and
Bursar
Council, 4th April 1840
Minute No. 7.

Kings College Office, Toronto 9th April 1840

The Hon^{ble} Henry Dunn

Sir

I have the honor to enclose an extract from the Minutes of Kings College Council held on 4th Inst. and have the honor to be.

A Boys.

Receive General
Minute No. 4. of Council
on 4th April 1840. see
C. M. B. p.

Kings College Office Toronto 9 April 1840

The Hon^{ble} W. Justice Sherwood

Sir

I have the honor by directions from the Council of Kings College, to enclose to you for the consideration of the Hon^{ble} The Judges of the Court of Queens Bench, Visitors of the University, the Statutes proposed by his Excellency the Chancellor of the University to the Council of Kings College at their meeting on the 28th ult. and passed and adopted by them at their meeting on the 4th Inst.

I have the honor to be.

see C. M. B. Vol II. p. 166

see C. M. B. Vol II. p. 173

see also Minutes of the Council p. 4

Kings College Office Toronto 9th April 1840

To
S. B. Harrison

Sir

I have the honor to enclose you an extract from the Minutes of the Council of Kings College held on the 4th Inst. which I have to request you will lay before His Excellency the Lieut. Governor.

I have the honor to be

Sir

Your most OB^d Hum^{ble} Serv^t

A Boys.

Bursar R C

Private Secretary

see C. M. B. Vol II. p.

To

Sir,

H. C. O. T. 10 April, 1840.

James E. Small, Esq;
Solicitor to the Univer^s.

Mr Charles Hill who will deliver to you this letter, has applied here to substantiate his right to release or purchase lot No 16 in the 4th Concession of the Township of Malahide, belonging to this Corporation. There appears to be a good deal of difficulty respecting his claim, which he will explain to you, and I therefore request you will examine his papers and inform me whether I may consider him as being the legal transferee from the original Lessee.

I am &c. W. B. Benson, H. C.

From

Toronto 10th April 1840

James E. Small Esq; Sir

I have the honor to acknowledge the receipt of your letter of this days date requesting my opinion as to whether you may consider M^r Charles Hill, the Bearer, as being the legal Transferee from the Original Lessee of the Crown of Lot number 16 in the fourth concession of the Township of Malahide. In answer I have to state that I have carefully examined all the documents produced by M^r Hill bearing upon the question and which I find to be as follows. viz.

- 1st The Lease from the Crown to David Orr dated the 26th of January 1824 for the Lot in question for Twenty one years from the 29th September 1818 containing Two hundred acres more or less.
- 2nd A Lease from David Orr to Jacob McKenney for the same premises dated 17th March 1825 for fourteen years from 29th September 1825.
- 3rd A Lease from Jacob McKenney to Matthew McKenney of part of the same Lot as being all South of Silver Creek dated 15th Jan'y 1826 for the residue of the term granted by the Crown.
- 4th A Lease from James McKenney to Elisha R Smith dated 0th May 1830 for 9 years from the 29th Sept 1830 of part of the said Lot, being all North of Silver Creek; containing one hundred and thirty acres with one third of the time thereon and one third

of the mill and mill yard -

5th A lease from Elisha R Smith to James Butler and Henry McColey dated 17th October 1831 of one hundred and thirty acres of same premises being all North of Silver Creek, with one third of the pine on said lot and one third of the mill and mill yard for eight years from 29th of September 1831 -

6th An assignment endorsed on the above lease, from James Butler and Henry McColey to James Moore dated 16th Jan'y 1834 of all their interests in the said premises,

7th An assignment from David Orr (the lessee of the Crown) to James Moore, of all his interest in lot number 16 in the 1st Concession of Malahide dated 17 Nov^r 1836 -

8th An assignment endorsed on the last mentioned instrument from James Moore to Charles Hile, the present applicant of all his right and claim to the same premises dated the 14th April 1838 -

In addition to the above there is a Bond dated the 16th May 1831 from Frederick C McHenry to Jacobes Audrus, conditioned to make a lease of all that part of the lot in question lying South of Silver Creek with two thirds of the timber on it and also two thirds of the timber on the whole lot, with two thirds of the mill erected on the lot - for the residue of the term granted by the Crown, in consideration of the payment of certain sums of money therein mentioned to be paid to him by the said Audrus.

From the perusal of these documents it appears that the chain of title is complete to Jacob McHenry, for the whole lot - The only assignment from him is to Matthew McHenry for all that part of the lot lying South of Silver Creek which it may be supposed contains about twenty acres - Now James McHenry became entitled to transfer one hundred and thirty acres being that part of the lot North of Silver Creek to Elisha R Smith does not appear - Should it turn out that he had good right to make this assignment, then there can be no doubt of Mr Charles Hile's equitable claim to that portion of the lot as regards that portion

South of Silver Creek it does not appear that Mr. Matthew McKimney ever parted with his interest therein. If Frederick C. McKimney has good right to covenant with Socrates Audus for a conveyance thereof upon the conditions mentioned in his Bond, the fact of that Bond being in the possession of Mr. Charles Hill although not assigned in my opinion is "Prima Facie" evidence in his favour, of an equitable claim for a renewal of Lease, after a lapse of Eight years, and after the expiration of the time conditioned to be granted, should there be no counter claim, on the part of Matthew McKimney or his Assigns; and should Mr. Hill be prepared to show that he is in undisputed possession of the premises —

To give a more direct answer to your question, I cannot say upon a view of the documents produced that it appears Mr. Charles Hill is "the legal Transferee from the original Lessee" although from his statements coupled with the documents, I have no doubt he has an equitable claim to the favourable consideration of the Council of Kings College.

I have the Honor to be
Sir,

Y^r most O^bl^t Serv^t
Jas E Small

To

My Lord

K. C. O. T. 11 April 1840.

The Lord Bishop of
Toronto

I have the honor to enclose you a statement of your account with Kings College to 27th March, exhibiting a balance to your debit, on that day, of £1454..11..3.—

I have the honor to be
W. B. Munroe, K. C.

From

Sir

Receiver General's Office 13 April 1840

John A. Munroe Esq. Secy.

I have the honor to acknowledge the receipt of your letter of the 4th Inst enclosing Minutes of the Council of Kings College, and beg to acquaint you that Debentures amounting to £5000 have been bought and £5500 redeemed. The interest paid on the whole amounts to £161..5..10 $\frac{1}{2}$ and there remains in my hands £338..14..1 $\frac{3}{4}$ to be received;

making the amount as follows —

£11500	amount of Debentures
161-5-10 $\frac{3}{4}$	Interest paid on the same to trust of Surrender.
<u>338-14-1$\frac{3}{4}$</u>	Balance remaining to invest
<u>12000</u>	

The Debentures of £ 6000 can be retained up to College Council at any time and the Interest due on the same is receivable, but the Debentures of £ 5500 are, I believe considered redeemed by the terms of the Law, and cannot be issued again nor can the Interest be received. In the mean time the Interest remains to the Credit of the Provincial Government —

The Particulars have been reported to the Government as respects the redemption and an attempt was made in the Legislature of the last Session by the Late Attorney General to remedy the difficulty by a new Act but which however was not successful.

I have the honor to be

Sir, Yr. most Obedt. Servt

Whitburn R.E.

Gov House. Monday 13 April 1840

From
J. Ward Esq.

Sir

I am desired to request you will be kind enough to cause copies to be made of the Ordinances that have passed the College Council in order that they may be sent to the Gov General this evening, His Excellency will require them between 4 & 5 o'clock.

I have the honor to be &c

To
J. Ward Esq.

H. C. Office - 13 April 1840

Sir

I have the honor to transmit to you herewith, for Sir Eyre the Lieut Governor, copies of the ordinances that have passed the Council of Trinity College answering to the request conveyed in your note of this morning. I have &c

From
John H. Dunn

Receiver General's Office

Toronto 14 April 1840 -

Sir

With reference to my letter to you of yesterday's date on the subject of Debentures purchased and redeemed by me under a warrant from His Excellency the Governor on the School Fund to be invested under the authority of an act of the Legislature, on consideration of the matter, to simplify and make it clear, it seems to me that it is better that the whole amount of £12,000 should be handed to you in Debentures and the back interest paid by me, can be better repaid by warrant of His Excellency on the School Fund, and you can then receive the Interest from the dates as endorsed on the respective Debentures - or you may pay me the Interest out of that which you will receive; as you will by receiving the whole get that which I have paid, in which case no further application will be necessary to reimburse me. There is some doubt as respects the Debentures called in by Public Advertisements, whether they are not cancelled. Be this, as it may, as the affair is altogether a public one, perhaps it may not be found necessary to make a difficulty - The Council can retain the Debentures and continue to receive the Interest - And in case any objection should arise at any time on the subject, it can be easily explained and set right.

The Interest can be refunded and the Debentures surrendered if found necessary -

Schedule of Enclosed Debentures

No		
21	Redeemed on 23 rd July 1834 -	£ 1000 -
22 -	27 Sept -	1000 -
23	Purchased -	1000 -
35	Redeemed 17 August	666 " 13.4
90	5 Sept -	938 " 5.0
99	Purchased 27	3000 -
195	Redeemed 6 Dec	666 " 13.4
190	24 Sept	333 " 6.8
Carried For:		1500

240		£ 0,500 — —
201 - Returned	24 th Sept 1839.	333 - 6 - 8
250	23 July	250 — —
251	24 Sept 16 Jan 1840	250 — —
254	23 July 1839	83 - 6 - 8
255	24 Sept	83 - 6 - 8
416	Issued by order of 24 June 1839.	2000 — —
	by Purchased 14 April 1840 —	400 — —
8		<u>£ 12000 —</u>

The Debentures are handed to you by order of His
Excellency the Lieutenant-communicated in a letter
I have the honor to be

Sir

Your most obt Serv^t
John W. Dunn

Enclosed I transmit triplicate receipts which I will
thank you to sign and return them to me
J.W.D.

To the
Hon^{ble} J. H. Dunn
Receiver General

Sir,

King's College Office, Toronto,
15th April 1840.

I have the honor to acknowledge the receipt
of your letter of Yesterdays date transmitting Government
Debentures to the amount of £12000 Currency, for which
I enclose you my receipt in triplicate expressing the
particular Debentures of which that sum is made up.

The points in your letter respecting the manage-
ment of the interest on these debentures, and on
the circumstance of part of them having been already
redeemed, I will submit to the College Council at their
next meeting, and will communicate with you again
on the subject should there prove to be any occasion
for so doing -

I have the Honor to be
Sir

Your most obt^d humble
Servant

The Hon^{ble} J. H. Dunn
Receiver General.

H. Boegs -
Bursar R.C.

From
W. B. Harrison

Sir,
Government House -
Toronto - 13 April 1846

I have the honor to acquaint you, for the information of the Council of Kings College, that the Lieutenant Governor has been pleased to appoint the Undenominated Gentlemen to be members of the Board of Education, and Trustees of the District School in the Districts of Brock and Victoria, respectively.

The Rev^d John Rothwell
District of Brock { The Rev^d Donald McKeayie
Roger Rolle Hunter Esq
Robert Riddell
James Ingersoll.

The Rev^d John Cockran
District of Victoria { The Rev^d James Ketchum
The Rev^d Michael Brennan
S. W. Dunbar Mordie Esq
George A. Ridley

I have the honor to be
Sir

Your most obt^d humble Serv^t
W. B. Harrison

From
W. B. Boulton Esq Sir

Toronto April 11th 1846

I herewith beg to enclose the scrip for stock assigned to the Kings College Council in full for the Debt due by W. B. Robinson Esq^r to them.

You will perceive by the statement annexed that the sum of £ 6-5-6 is due to Mr Robinson and that sum together with the note you hold against him I shall thank you to enclose to me.

I remain
Sir your obt^d Serv^t

The College Council is up with W. B. Robinson					1846				
1846 April 11	To 15 Shares Gore Bank Stock	£	187	10	By amt ^t of note due 26 Feb ^y	112	10	0	
	" 5 mo 11 d Int ⁿ on do at 8%		6	6	11 yrs 44 days Int ⁿ	75	1	2	
		£	193	16	Bal ^y due	6	5	6	
	To Bal. brought down		6	5		£	193	16	8

To
W H Boulton
Solicitor

King's College Office Toronto
15 April 1840

I beg to acknowledge the receipt of your letter of the 11th inst enclosing script for 15 Shares of Gore Bank Stock assigned to King's College in full for the debt of W B Robinson Esq.

The statement of Mr Robinsons A/c which accompanied your letter is correct showing a balance in his favour of £ 65.6 for which amount I enclose you a check on the Bank of Upper Canada - and likewise send you back the account, requesting you will return it to me with your acquittance for the balance.

I also send you enclosed the note we have held against Mr Robinson for £ 112.10.

I remain Sir &c -

To

Sir,

H. C. C. T. 16th April, 1840.

- A. Steven Esq.

Cashier of the Gore Bank
Hamilton.

It appearing by Script W 214 dated 10th Inst that 15 Shares of the Gore Bank stock have been transferred into the names of the Lord Bishop of Toronto & myself, for the uses of King's College, I have to request you will transmit the Dividends as they are declared upon these shares to the Bank of Upper Canada to be placed to the credit of the Council of King's College.

I have &c H. B. Munroe, H. C.

From
J B Price Esq

Sir,

Toronto April 11th 1840.

In the year 1830 Mr Barber executed a Mortgage to secure to Robert Patterson the payment of the sum of £ 125. The property upon which this Mortgage has been given is lots 44, 45, 46 and 47 on the West side of Spadina Avenue in this city. Mr Barber has already paid £ 25. on the Mortgage and Mr Patterson is willing to release the property from the incumbrance on receiving £ 75. with Interest from the 1 Sept last. I am therefore requested by Mr Patterson to enquire of the College Council through you if any such proposition has been made by Mr Barber, and if so whether the

Council is prepared to pay the money and take the release
I have &c. - J. H. Price.

Kings College Office, Toronto - 22 April 1840 -

To -

Sir

J. H. Price Esq

Your letter of the 11 Inst reached me but this morning. If you will have the kindness to call at this office I shall be able to settle with you the Mortgage in question on Mr Barbers property in Spadina Avenue
I have the honor to be - J. H. Price -

The Honble To

R. B. Sullivan

Surveyor General

Sir,

K. C. C. T. 30 April, 1840.

I have the honor to transmit to you, enclosed, an extract from the minutes of the Council of Kings College held on the 15th Inst last, and have the honor to be,

Sir - &c -

W. B. Burns. K. C.

Enclosure to the above letter.

Extract from &c -

Names of Members present.

For this minute see Council
minute book Vol II p. 153.

" 13 - The Bureau represented with the Senior Surveyors."
a true extract, (signed) W. B. Burns K. C.

From

Government House. 30 April 1840

Mr Harrison Gov House Sir,

The enclosed letter contains
my reply.

This letter referred to a
committee and reported on
3 June 1840. see Min. 6. p. 183
1 C. M. 13.

I am commanded by the Lieut Governor to transmit to you the enclosed letter from the Receiver General with a view to its being submitted to the consideration of the Council of Kings College and I have to request that you will return it with such observations as they may be pleased to make for his Excellencys notice in regard to the suggestions proposed by Mr Dunn for the disposal of certain funds at present in his hands on account of sales of School lands -

I have the honor to be
Sir

Your most Obedt^h Hum^l Serv^t
J. H. Harrison

From
 J. B. Harrison
 To
 J. B. Harrison

This letter sent to Mr. Stoddard
 on 17 June at his request
 see his private note of that date

Received General's office 24 April 1840

I have the honor to report to you for the information
 of his Excellency the Lieut Governor that the sum of
 £1177-2-1 remains in the fund arising from
 the sales of school lands. It appears to me that
 to follow up the intention of the Legislature, this
 money should be invested as on a former occasion
 for the benefit of that object. I have therefore the honor
 to suggest that the sum of £1000-0-0 should be invested
 in the Public debentures of the Province and the same
 to be handed over to the Bursar of Kings College who
 has £12,000 debentures already invested under His
 Excellency's Warrant dated 25th June 1839.

I have the honor &c.

To
 J. Radenhorst Esq.

Dear Sir, K. C. O. T. 9 May 1840.

I beg to hand you the enclosed note which ought
 to have been returned to you when you gave your bond.

Those of prior date I presume have been returned to you by
 Mr Strachan in whose hands they were placed. I am &c

J. B. Harrison, Esq.

Note dated 26 Dec 1836
 payable 4 years after date
 for £107.10.0 land.

To
 J. B. Harrison Esq.
 Private Secy. &c. &c.
 see C. M. B. p. 174

Sir, K. C. O. T. 29th May 1840.

I have the honor to enclose the Minutes of the Council
 of Kings College held on the 27th Inst. for the purpose of their being
 submitted for the information of His Excellency the Lieut. Governor.

I have &c J. B. Harrison, Esq.

From
 J. C. Patrick

K. C. O. T. 26th May 1840

Dear Sir

Private affairs requiring my presence at Brautford
 I shall be much obliged to you to state the circumstance
 to the Council, at their meeting tomorrow and obtain for me
 leave of absence for a week or two days

I have &c

To

Sir,

K. C. O. T. 9th June 1840.

C. B. Harrison Esq

Private Secy

C. M. B. p. 177.

I have the honor to enclose the minutes of the adjourned meeting of the Council of King's College held on the 16th Inst. for the purpose of their being submitted for the information of His Excellency the Lieutenant Governor.

I have &c. H. B. Benson, K. C.

To

Sir,

K. C. O. T. 9th June 1840.

T. G. Ridout, Esq,

Clerk of the Bank

of Upper Canada

I have to request you will purchase for the Council of King's College, provincial debentures at 6 per cent interest, to the amount of £1000, a little more or less as the case may require.

I beg to enclose to you a debenture, No 12, for £33..6..3, dated 1st January 1839, for the purpose of its being placed with the other college debentures in custody of the Bank of M. C.

I have &c. H. B. Benson, K. C.

To

Sir,

K. C. O. T. 10 June, 1840.

Hon. R. A. Tucker

Provincial Secy

Minute No 3. Council 6 June 1840 - see C. M. B. Vol II. p. 180.

I am directed by the Council of King's College to transmit to you the enclosed minute of their proceedings at their meeting held on the 16th Inst.

I have &c. H. B. Benson, K. C.

To

Hon. C. W. Dunn

Receiver General.

Memorandum 10th June, 1840. Received from Mr Dunn three Provincial debentures amounting together to £359. 4s. for which I gave him triplicate receipts in the following form.

Toronto 10 June 1840.

Received from the Hon. C. W. Dunn Receiver General the undermentioned Government debentures amounting to the sum of three hundred and fifty nine pounds currency authorized to be invested from the School fund pursuant to an act of the Legislature 3 Victoria, Chap. 10 - order in Council 28 May, 1840; and Sir Geo Arthur's warrant dated 3 Inst. - and now placed in my hands for the uses and purposes of the Schools in this Province, having signed triplicate receipts, viz

Debenture No 442 for £ 119..13..4, 4s. Dated 5th June 1840

" " 443 " 119..13..4, 4s. D° "

" " 444 " 119..13..4, 4s. D° "

£ 359..0..0 (signed) H. Boyd, Secy, K. C.

Grove

Toronto June 10th 1840Messrs. Strachan & Burns
in your letterEnclosing a check on Commercial Bank for £326-8-1
being in full of Principal and Interest due by J. Barwick
upon his note sent to us for Collection.

We are Sir

H.C.

Gentlemen

Kings College Office, Toronto 10 June 1840

Messrs. Strachan & Burns

in preceding letter.

I beg leave to acknowledge the receipt of your
letter of this date containing a check on Commercial Bank
in my favour for £326-8-1 being in full of Principal
and Interest due on the 3^d note of W. J. Barwick to be placed
to the credit of the Lord Bishop of Toronto.

I have &c &c. H. B. Boys.

To

Sir

H. C. O. T. 15 June 1840

James L. Small Esq.

I have the honor to transmit to you the copy of a
Solicitor to the University minute of the Council of Kings College at this meeting held
of H.C.on the 27th May 1840.See Minute N^o 8, Council 27 May 1840C. M. B. p. 176 - that part only of the
minute which relates to the lots in arrears.

I have &c

H. B. Burns, H. C.

To

Sir

H. C. O. T. 15 June 1840.

J. L. Small, Esq.

Solicitor &c

I have the honor to transmit to you an extract from
the proceedings of the Council of Kings College at this meetingSee minute N^o 6 of Council held on the 13th instant.

13 June 1840, C. M. B. p. 184

- that part only of the minute which
relates to the redeemed Debentures,
commencing "with reference" - ending "subsisting securities".

I have &c

H. B. Burns, H. C.

To

Sir

H. C. O. T. 15th June, 1840.

J. B. Harrison, Esq.

Private Secretary

I have the honor to enclose the minutes of the Council
of Kings College held on the 13th instant, for the purpose of their
being submitted for the information of His Excellency the Lieut. Gov^r
Chancellor of the University.

I have &c

H. B. Burns, H. C.

From
R. A. Tucker Prov. Secy. Sir

Provincial Secretary's Office
Toronto 12 June 1840.

In reply to your communication of the 10th instant respecting District and Grammar Schools, I have the honor to transmit, for the information of the College Council the returns furnished by the respective District Schoolmasters to this Office for insertion in the Blue books for 1838 and 1839, which comprise the entire information this Office can afford.

When the accompanying papers have been made use of, I will thank you to return them and have the honor to be.

Yours &c

To

Sir

K. C. O. T. 16 June 1840.

James S. Small, Esq.

I have the honor to send you the 5th Minute
Director to the University of the proceedings of the Council of King's College at a meeting
of that body held on the 13th instant

C. M. B. Vol. II. p. 193.

I have &c

W. B. Pears, K. C.

From

Toronto 17th June 1840.

W. B. Pears Esq. Sir

I have the honor of acknowledging the receipt
of your communications of the 15th inst. covering extracts
from the minutes of the Council of King's College at their
meeting held on the 24th May and 13th June as also yours
of the 16th instant enclosing copy of the 5th Minute of the College
Council of the 13th June. By the minute of the Twenty seventh
of May last it was ordered "That the Bursar do trans-
mit to the Solicitor of the Corporation the particulars of
the arrears due on the 1st of (therein mentioned) with
instructions to proceed against the several purchasers
without delay by ejectment they not having attended to the
applications made to them for the large amount of arrears
due to the College." It does not appear that any discretion
is left with me should the parties or any of them be
willing or desirous of paying up the arrears; but that
I am to proceed by ejectment at all events. I beg to be
informed whether or not such is the intention of the
Council or whether the parties are to be permitted to

This letter read in Council
6 June 1840. see minute on
the subject. C. M. B. Vol. II. p. 197.

to retain their lots upon payment of the interest.
 It is also necessary that I should be informed whether
 now, and of so much of the lots in the list transmitted
 to me are unoccupied, and whether possession has been
 demanded of the individuals residing upon those lots
 which are occupied as if not, such demand must
 be made by some person in the name and on behalf
 of the Chancellor President and Scholars of Kings College
 duly authorized before any action can be brought -
 with reference to the 5th minute of the Council of the
 13th June which states "The conditions and covenants
 of the leases to be exhibited at the sale and to be settled
 and reported by the solicitor for the approval of the
 Council." It is of importance I should be informed
 exactly what is intended by my being required to
 settle the conditions, whether it is meant that I am
 merely to put in technical and legal form the conditions
 upon which the council have already determined
 the lots shall be sold, or that I shall suggest for the
 consideration of the Council the conditions upon
 which I would recommend the lots in question to
 be disposed of with a view to the best advantage. The
 question of the legality of the investment of the School
 Funds in debentures which had been previously called in
 by the Receiver General for redemption and upon which
 my opinion is required by the minute of Council of the
 13th Instant is under consideration, and as soon as possible
 after a reference to the several Statutes under which the
 debentures were issued, shall communicate to you my
 opinion for the information of the Council.

I have the honour &c

Yours faithfully
 Geo. C. Smith Esq. Secy

Kings College Office Toronto 19 June 1840

In reply to your letter of the 1st Instant I have the
 honor to inform you with reference to the minute of Kings
 College Council of the 2nd Instant directing you to proceed
 without delay by ejectment against certain parties in
 Block D in the City of Toronto who are in arrears

This letter read in Council
 20 June 1840. see minute
 Trans. C. M. B. p. 107.

to the effect, that, should the parties be willing to pay that part of their arrears which arises from interest you may drop proceedings against them, and allow them to retain possession of their lots. - You will also suspend proceedings against Henry Wain and Bernard Kennedy the two first on the list until you hear from me respecting them -

The question in your said letter as to which of the lots in the list transmitted to you are unoccupied, and whether possession has been demanded of the individuals. I presume relates to the lots we are about to resume. I therefore inclose you relinquishment from the parties for four of the parties three lots. The rest appears to be abandoned but as it may be proper that you should inquire into this point, to enable you to do so I send you a list of the lots with a statement against each of them of every circumstance within our knowledge -

I then to inclose to you a Diagram of Block D thinking it may prove of some use to you in the arrangements these cases -

In regard to the 5th minute of Council of the 18th June last it is the wish of the Council that you should suggest for their consideration the conditions upon which you would recommend the lots in question to be disposed of with a view to the best advantage, it was the opinion of the Council that the lots should be leased on long terms at a rate p^r foot frontage; and a period of 42 years was mentioned; but I am sure they would be glad to have your opinion on this point as well as on all the others embraced by the subject -

It would be desirable to have your suggestions on this matter as early as convenient the Council having named the last day of this month for the Auction. And the Council would also be glad of your opinion about the redeemed Debentures as soon as you can conveniently prepare it. They meet tomorrow at 2 o'clock but I fear you cannot have either of your opinions or both of them ready by that time -

I have the honour &c &c

From
Joseph D. Vidout

Sir,

Toronto 7 May 1840

I beg to acquaint you by request of Mr. Hawkins that as Executor of the Estate of Mr. James Marshall on behalf of his Creditors - I do not feel any interest in a lot of land on a Wharf Street purchased by him from the College. I am not prepared to pay the amount said to be due thereon.

Yours D^y -

From
Mr. Sprague

Sir,

Toronto 23rd May 1840

Having received a communication from you respecting the land on the corner of which my office stands. I beg to state that I do not desire to retain it but will relinquish possession at any time that the wish of the College Council to that effect may be intimated to me.

Yours Sir - &c &c

From
Mr. E. Small -
Solicitor to the
University

Sir,

Toronto 7 June 1840

On the fifteenth I had the honor to receive from you the following "Extract" from the minutes of the Council of King's College at their meeting held on the 13 June 1840 -

"With reference to the question which has arisen in consequence of the Receiver General having redeemed certain Debentures with the school fund through a misapprehension of his instructions the Committee have to observe that they cannot recommend the Council to sanction the receipt of the Debentures so redeemed without a reference to the Solicitor on the subject"

"Whereupon it was resolved that the following question be submitted for the opinion of the Solicitor - Whether the payment of the amount secured upon Provincial Debentures pursuant to an advertisement published according to law but the money with which the Debentures were paid being School money and not belonging to the General funds of the Province amounts to a cancellation of the Securities and whether it can be legally considered as an investment of the School money at interest on still subsisting Securities

In answer to this question I have the honor to state for the information of the Council of King's College -

That it appears that the Receiver General was required by the Act 2nd Victoria Chap 11 Sec. 3 to invest in the Debentures of this Province at 6 p. cent interest, the money then remaining in his hands unexpended or which might come into his hands arising from the sales of School Lands: whether and what other instructions were received by the Receiver General does not appear, I must therefore assume that in parting with the monies arising from the sales of School Lands, he intended to act under the authority of the above mentioned Statute -

How far he has done so in such a manner as to secure the object and interest of the Act, which is the appropriation of the interest arising from such investment for the support of Grammar Schools is the question -

Upon reference to the Receiver General for information, I find there were no Debentures to be issued by Authority of Law in which he could invest the money in question but that there were a number of Debentures outstanding and over due issued under the authority of 4th George - 4th Chap 8 and the 4th George 4th Chap 16 for constructing the Burlington Bay Canal, and that no funds were in the Provincial Treasury to take up these Debentures should they be presented for payment, and that with a view as well to protect the Credit of the Government as to comply with the spirit and meaning of 2nd Victoria Chap 10 he caused the following notice to be inserted in the Upper Canada Gazette

"The Receiver General gives notice to the Holders of
 "the undermentioned Government Debentures to present the
 "same at his Office for redemption agreeably to the respective
 "acts of the Provincial Legislature under which the same
 "were issued. Nos: 21, 22, 25, 90, 195, 190, 201, 230
 "251, 254, 255 - Receiver General's Office Toronto June 25th 1839
 And as the above mentioned Debentures were presented
 paid them off with the monies arising from the sale of

school lands, or, as contemplated by him, invested those monies in the above securities -

By the first of the acts mentioned in the above notice 4th Geo. 4th Chap 8 sec. 8 it is enacted that, at any time when the said Debentures or any of them shall respectively become due according to the terms thereof, it shall and may be lawful for the Governor, Lieut^t Governor, or person administering the Government of this Province if he thinks proper, so to do to direct a notice to be inserted in the Upper Canada Gazette requiring all holders of said Debentures to present the same for payment according to this Act: and if after the insertion of the said notice for 3 months and debenture then payable shall remain out more than six months from the first Publication of such notice all interest in such Debentures after the expiration of the said six months, shall cease and be no further payable in respect of the time which may elapse between the expiration of the said six months and their presentment for payment."

It does not appear by this or the subsequent act 4th George 4th Chap 10 that the Receiver General has any discretionary power, or indeed any power at all in calling in Debentures past due, the above recited section only authorises the Governor if he thinks proper so to do to direct a notice to be inserted in the Upper Canada Gazette, requiring the holders of Debentures to present them for payment. He may direct the Receiver General or his own private secretary to cause such notice to be inserted,

In the present instance I am bound to presume the Lieutenant Governor directed the notice to be inserted in the Gazette for three months. Now any debenture remaining out more than six months from the first Publication, shall not draw interest in respect of the time which shall elapse between the expiration of the said six months and their presentment for payment. Suppose the original holders of these Debentures had paid no attention to the notice and retained them for any period beyond six months from the first publication of the notice in the Gazette say to the 26th of the present month and then demanded payment of Principal and

attest could the Receiver General comply with such a request with the Act of Parliament before him? I am decidedly of opinion he could not - The Act is peremptory and positive -

Of the holder on the 25th June 1830 of the Debentures mentioned in the notice that date could not demand or recover interest upon the amount for any period beyond six months from the first publication of such notice. On what different position does the Council of Kings College stand, as the holders of those debentures and under whose control the proceeds of the investment of the school lands are placed for the purpose, of 2nd Victoria Chap 10. None of the Act referred to nor indeed any other that I can discover authorize the issuing of Debentures, but on the contrary, the 4th Geo 4th Chap 8 enacts -

"That a separate Warrant shall be made
" to the Receiver General by the Governor &c for the time
" being for the payment of each Debenture as the same
" may become due and be presented in favour of the
" lawful holder thereof, and that such Debentures as shall
" from time to time be discharged and paid off shall be
" cancelled. And made void in the said Receiver General.

Taking this section of the Act in connection with the Eighth section which has been before recited, and upon a careful view of the whole Case - I have no hesitation in giving it as my opinion that the Council of Kings College stand in no other position, as the holders of those Debentures than any other original holder subsequent to the notice would do, and that when the Debentures mentioned in the notice published in the Gazette were presented to the Receiver General conformable thereto by the Holders thereof and the amount secured upon such Debentures paid by the Receiver General from whatever funds remaining in his hands they became Discharged and Redeemed and should have been cancelled and made void." and that therefore the use of the funds in question for such purpose cannot legally be considered as an investment

of the school money at interest on still subsisting securities - All interest upon such securities ceased on the 30th of December last the receipt of which is the principal scope and object of the 2nd Victoria Chap 10 -

It is obvious that no Act of the Executive Government alone can give effect to the transfer of these securities from the original holders to the Council of King's College - After they were called in by the authority of the Lieutenant Governor by public notice in the Official Gazette so as to make them available in their hands. For the purposes of the Act under the authority of which the school funds were authorised to be invested in Public securities. I have the Honour to be,

Signed - Jas Small -

To
J. G. Bidout, Esq.
Cashier of the
Bank of N. C.

W. C. C. T. 22nd June 1840
I am directed by the Council of King's College to request you will purchase for this Corporation the £500 Debenture belonging to Mr Boulton of which we were speaking this morning.

I have the Honour to be, Sir

Y^{rs} B. Nassau, N. C.

From
James E. Small Esq
Solicitor to the University

Private 10th June 1840

I have the honour to acknowledge the receipt of your favour of this days date with the accompanying documents which shall receive immediate attention -

With regard to the Lots about to be disposed of by lease as you are pleased to state, it is the wish of the Council that I should suggest for their consideration the conditions upon which I would recommend the Lots in question to be disposed of with a view to the best advantage. I have to state that I am decidedly of opinion that 21 would be preferable to 42 years, as the rise of the value of property in the City by the expiration of the first named period must inevitably be considerable under any circumstances, which the Council would lose the benefit of by being for a longer period -

The Lessee might have the right of

of renewal for the ^{following} period of 21 years, at such increased rent as should be agreed upon by two indifferent persons to be chosen one by the Lessee and the other by the Council and in disagreement a third to be chosen by the two Arbitrators. On the Council at their option to resume the lots paying the Lessee for their improvements to be valued in like manner. By such an arrangement the Council will have it in their power to avail themselves of any advantageous rise in the value of property. I would also recommend that purchasers be required to build within a given time say 12 or 18 months, and to pay one quarter rent in advance at the time of purchase as such stipulations will tend to prevent the recurrence of similar disappointments for that already experienced by the Council in the subsequent non-payments of the rents.

The necessary covenants are ordinary and simple and can be easily prepared, when I am informed of the precise terms upon which the Council determine the lots shall be disposed of.

I take it for granted the Council are not about to dispose of any of those lots for the possession of which it will be found necessary to commence actions of Ejectment as it will be impossible to obtain judgment in any case before Michaelmas term next (August) my instructions not having been received in time to enable me to take any proceedings this term.

I have the honour to be
Yrs & Small's

To
Jas. E. Small - Esq.

Solicitor to the University
Minutes of Council
22.2.187.

Sir,

King's College Office Toronto 23 June 1840

I have the honour to transmit to you for your guidance a minute of the Council of King's College at their meeting on the 20 Instant and have the honour to be Sir -

H. Boyd
Registrar, K.C.

To
Honble R. A. Fisher
Provincial Secretary &

Minutes of Council
22.2.187.

Sir

King's College Office Toronto 23 June 1840

I have the honour to enclose to you an extract of the proceedings of the Council of King's College at their meeting held on the 20 Inst. relating to certain Provincial Debentures redeemed by the Receiver General from the School Funds - I have the honour to be Sir -

H. Boyd
Registrar, K.C.

No

W. H. Harrison Esq. Sir
Private Secretary

King's College Office

Toronto 23 June 1840

I have the honor to transmit to you enclosed a copy of the 5th Minute of the Proceedings of the Council of King's College at their meeting held on the 20th instant and have to request you will submit the same to his Excellency the Lieutenant Governor, Chancellor of the University.

I have the honor to be Sir
H. Boys
Registrar, &c.

No

The Hon^{ble} Mr. A. McNair
Provincial Secretary

King's College Office

Toronto 23 June 1840

I beg to return you herewith the documents transmitted to me in your communication of the 12th inst and the single document transmitted to me on the 13th inst.

I have the honor to be Sir
H. Boys

From

Memorandum 23 June 1840 - The following are

I & Small Solicitor proposed by the Solicitor as conditions for the leases of proposed conditions the resumed building lots in Block D in the City of Toronto - Read in Council on the 24th June 1840, adopted with the amendments made in red ink.

submitted to Council
27 June 1840. Min. 2nd 6.
C. M. 1840.
The document put away
with letters.

The conditions of the lease
are as follows -

We Have and to Hold the same lands and premises hereinafore mentioned and intended to be hereby demised with their and every of their appurtenances unto the said _____ his Executors administrators and Assigns, from the day of the date hereof for and during and unto the full end and term of Years two years yielding and paying therefor, yearly and every year during the said term the yearly rent or sum of _____ pounds of lawful money of Upper Canada in two equal half yearly payments of _____ pounds each on the _____ day of _____ and the _____ day of _____ in each and every year during this demise the first payment thereof to begin and be made ^{in advance} on the _____ day of _____ next ensuing the date of these presents - And the said _____ for himself his Executors administrators and Assigns doth Covenant promise and agree to and with the said Chancellor,

President and Scholars of Kings College - aforesaid by these presents in manner following that is to say that he the said — his Executors administrators and assigns shall and will well and truly pay or cause to be paid unto the said Chancellor President and Scholars of Kings College aforesaid the yearly rent hereinbefore reserved at and upon the several days and times and in manner and form as is hereinbefore limited and appointed for payment thereof. And also that he the said — his Executors administrators or assigns shall and will at all times hereafter yearly and every year during this demise pay all rates duties impositions taxes and Assessments lawfully charged rated or assessed or to be charged rated or assessed on or payable for or in respect of the premises hereby demised, And also that he the said — his Executors administrators or assigns shall and will within ^{12 calendar} months from the date hereof erect and build or cause or procure to be erected or built on the said demised premises, a stone, Brick, or frame dwelling house of not less than 300 £ ^{of labour} ~~feet~~ ^{fronts by} ~~feet in depth~~ — Provided always and these presents are upon this express condition Nevertheless and it is the true intent and meaning hereof and of the parties herunto that if it shall happen that the said — his Executors administrators or assigns shall do or omit to do any act matter or thing in breach or nonperformance of all or any of the Covenants, conditions Provisoes or agreements herein before contained on the part and behalf of the said — his Executors administrators or assigns to be performed fulfilled and kept, then and from thenceforth it shall and may be lawful for the said Chancellor President and Scholars of Kings College aforesaid at any time after such breach as aforesaid unto and upon the said hereby demised premises or any part thereof in the name of the whole to reenter and the same and every part thereof to have again, repossess and enjoy as of their former

in sum of £800, or the
proportion of the
rent, reserved
£150

Estate without any previous notice to quit or demand of possession whatsoever or anything contained hereinbefore to the contrary thereof in any wise notwithstanding -

To Mem^m: 30 June, 1840. Transmitted to him the Minutes of
 W^m Sec^y: Harrison the Council held on the 27th Inst.

To Mem^m: 30 June, 1840. Transmitted to him the 5th Minute of
 W^m Sec^y: Harrison the Council held on the 27th Inst.

From
 Thomas J. Ridout
 Cashier

To Henry Boys
 Bursar

Bank of Upper Canada
 Toronto 23 June 1840 -

Kings College

In compliance with your letter of instructions dated yesterday, I have purchased from D^r Arcey & Boutin Welland Canal Debenture N^o 304 - £500 G dated 8 March 1834, redeemable on 8th of March 1874 - Interest @ 6% per annum payable half yearly on 8th March and 8th September for which I now send you a certificate of lodgement and subjoin a memorandum of the particulars of Purchase the amount of £509-19-3 I yesterday charged to the account of the Council of Kings College -

Memorandum

N ^o 304 Welland Canal Debenture - £ 500 -	
Int st on £500 from 8 th March to 21 st June inclusive	8 ^{rs} 14 ^d - 3
1/4 % Agency on £500	1 ^{rs} 5 ^d - 0
	£ 509-19-3

To
 T. G. Ridout Esq
 Cashier B. U. C.

Si

Kings College Toronto

3 July 1840

It being intended by the Legislature that the proceeds of the School Funds shall be placed in the hands of the Council of Kings College - for distribution to the grammar schools of this province, I am directed to request you will receive such moneys as I may as Bursar of this corporation from time to time pay into the Bank of Upper Canada on this account; and

that you will carry the same to a new account under the head of "Council of King's College for grammar schools" keeping it quite distinct from their present account for "King's College". In drawing on this account I will write the words "Grammar School" conspicuously on the top of the checks.

I have also to request that you will receive into the custody of the Bank the following Provincial Debentures amounting to £8,850-0-0 belonging to the Grammar Schools, receiving the interest of them as it becomes due - and carrying it to the credit of this new account in your books.

The following are the Particulars of the Debentures now transmitted -

No	Date	Service	Amount	Period of Interest
23	22 nd June 1834	Burlington Bay	1000 - " -	22 nd June & 22 nd Decemb
99	24 Nov 1837	Kettle Creek	3000 - " -	24 May & 24 November
416	25 June 1839	Quarstown Road	2,000 - " -	25 June & 25 December
7	1 January	Losses	400 - " -	1 Jan ^y & 1 July
8	"	"	100 - " -	"
442	5 June 1840	James Bridge	119 - 13 - 4	5 June & 5 th Decemb
443	"	"	119 - 13 - 4	" & " "
444	"	"	119 - 13 - 4	" & " "
445	19	Welland Canal	2,000 - " -	19 " & 19 - "
			<u>£ 8859 - " -</u>	

I request your acknowledgement of the receipt of these Debentures -

I have the honor &c.

H. Boys - Barron K-C.

To
J. G. McDoubt, Esq,
Clerk B. U. C.

Mem^m 8 July, 1840. Wrote to him requesting that he would purchase for this Corporation a Provincial Debenture of £1,000.

To
The Solicitor of the
University

Mem^m 8 July, 1840. Wrote to him to prepare a power of att^o to be submitted for the approbation of the College Council, authorizing him under the seal of the Corporation to demand surrender of premises of the defaulters in Block D.

From
Col^d Wells.

Davenport February 14th 1840

Sir

I have the honor to request you will submit for the favorable consideration of the Council of King's College - the accompanying Application of Mr Henry Hawkins for remuneration for extra services while Junior Clerk in that office, up to the time of my ceasing to be Registrar and Treasurer of that Institution, and which he faithfully and zealously performed -

The remuneration now applied for is for services which he performed subsequent to the period for which he has been already paid through me - The payment for which will be found in my accounts -

The frequent absence of the then Senior Clerk (under the plea of serious indisposition) threw the accounts into lamentable disorder - this circumstance together with additional labor thrown upon the office, by requisitions from the House of Assembly, and the College Committee of Investigation rendered it imperative to employ Mr Hawkins in extra hours to comply with the several requisitions and to wind up the arrears. In performing this duty he displayed great ability and intelligence and therefore with pleasure comply with his request to give my Testimonial in support of his application, which I now most willingly tender on his behalf -

I have the honor to be &c -

Jos Wells.

From

Toronto 11 Feb^y 1840

Mr Henry Hawkins Sir

I beg leave to address you upon the subject of the extra work performed by me for the House of King's College the office of King's College by your direction, and respectfully request you will have the goodness to represent the matter for the favourable consideration of the Council -

Without going into the particulars of every item of service I will merely say the work

Consisted of closing all accounts in the ledgers that were paid in full - Opening a rent Cash Journal - Getting information in order to enable you to comply with the address of the House of Assembly in the Session of February 1834 - Opening rough books of sales of Upper Canada College Lands, as well those sold by the Bursar as those sold by Agents, for the former a sales Ledger has been regularly opened for every lot sold, but as it was thought inadvisable to mix the sales of the Bursar and the Agents - the accounts for the latter were not opened at the same time, but were made ready to be copied into a ledger -

Trusting that you will make such representation of the matter as you may think necessary - I beg to remain &c
Henry Hawkins

The Council
of
King's College -

Dr H. Henry Hawkins
To Closing accounts in King's College Ledger.
Opening rent Cash Journal, making out accounts for the legislature in the Session of April 1834. including statements showing the gross amount of sales, the number of acres sold - and the gross amount received on account of both Establishments to the December previous -
" making out accounts of the sales and rents of U.C. College Lands as well those sold by the Bursar as those sold by Agents including an Vestiment Book, Sales book, and ledger - for each lot sold &c &c &c -
22/ Hours @ 2/- pr hour - £ 22-14/-
H Hawkins -

Note Prior to making out the above accounts there was nothing to show the state of the U.C. College

Sands, and the accounts were made out from various Memorandums collected from various sources - No such information as that furnished the Legislature in April 1834 was ever before called for, and consequently not furnished the House of Assembly -

To Sir, H. C. O. T. 10th July, 1840.

T. G. Bidwell, Esq. I am directed to request you will purchase for Cashier of B. U. C. the Corporation of King's College, Provincial Debentures at 6 per cent interest, to the amount of £500, and charge the same to the account of the Council of King's College.

I have &c. W. B. Benson M.C.

From -
The Attorney General. Sir

Attorney General's Office
Toronto 24th July 1840

The enclosed papers were placed in the hands of my predecessor in office as Solicitor to the University. They have just been transmitted to me under the idea that they appertain to the Office of Attorney General.

I lose no time in transmitting them to you that the Solicitor of King's College may prepare the necessary Surrender to the Crown.

I have the honor &c -

W. H. Draper -

To
Sir
Jas J. Smale Esq. Solicitor to the

King's College Office Toronto
24th July 1840 -

University of King's College, relative to the Surrender of a small plot of grounds from this Corporation to Her Majesty for the purpose of erecting thereon a Magnetic Observatory.

From the delay which you will perceive has taken place in this business. I have to request you will prepare the necessary documents as early as you conveniently can -

I have the honor &c -

H. Boys -

Bureau K.C.

from Bureau to Mr Hagerman
21st Jan 1840, with enclosures
from atty genl. to Bureau
24 July, 1840.

Toronto 28th July 1840 -

J. Bogo Esq
Bursar - Kings College.
Sir,

This letter submitted
to Council 21st Oct. 1840
see Min. 31st 11
2. 11. 13. p. 207.
Rejoinder to Mr. Macdonald on p. 129.
His opinion thereon p. 146
see also p. 232.

I am requested by Messrs Charles and William Wadsworth of Etobicoke with the assent of the Hon. Jas. Wells to make the following statement to the College Council and submit for their consideration the Proposition herein contained -

The Wadsworths are indebted to Col Wells in the sum of £2400 - Curr^t which it is desired should be assigned to the College to be secured by Mortgage upon a free hold of 200 acres situated on the River Humber in the Township of Etobicoke possessing one of the finest mill sites in the Country, within twelve miles of the City. Upon the premises are erected a grist mill and Distillery rented for five years from the seventeenth Inst at £325 - per Annum with good Personal security for the due payment of the rent, a saw Mill in good order and doing a most excellent business, and several dwelling Houses, with at least altogether upwards of £5000 - Curr^t.

In addition to this the Wadsworths will assign to the College the following Debs in my hand for Collection £500 due (for Lumber) from Rich^d Woodsword a Master Builder one of the Contractors for the new Barracks, Possessing considerable property in this City - An honest industrious man whose Credit would be good at any of our Banks at any moment for twice that sum - Endorsed by Alex Hamilton well known in this City.

Prof note -

£830 - due (for lumber) from Sir A. & MacNab secured by a judgement and execution £100 to be paid every month in default of any one payment - execution to be enforced -

£300 John Harper / due 1st Feby next for Lumber

Pro/Note

another wealthy Master Carpenter. also a contractor upon the Present improvement beyond the Garrison worth ten times the sum and more.

Pro/Note

£ 45 - Howland Burr 1st Decr 1841

for lumber a man of very extensive property in the District and accumulating more every day

Pro/Note

£ 123 - James Clifford (due 18 months hence)

advanced by a wealthy farmer in the Township of York with at the least £ 400

The note

£ 40 Culham (due in May next) said to be perfectly good.

In all £ 1868 bearing interest the greater part of which beyond a doubt will be paid before Jan^y 1842 besides which the Wadsworths have a large quantity of sawed lumber on hand which command a ready sale - and an immense supply of logs ready for the mill and being steady industrious men may reckon for a certainty upon at least

£ 750 therefrom between this and January 1842 I should think the whole of the above amount collectable before that Period.

Also a judgement and execution against William and George Chisholm for £ 500 and upwards, doubtless but a portion likely to be ~~secured~~ secured upon land this is also for lumber.

The object of the present application is for the College Council to accept the mortgage for £ 2400 Payable in August 1842 - The several amounts abovementioned collected as fast as possible to be paid over to you as collected on account of the mortgage. The Mills to be insured in a sum to be agreed upon and the Policy to be assigned to Council as further security and Colonel Wells to receive a discharge from College Council for the sum of 2400 £.

For the responsibility of the Parties owing the Wadsworths (with the exception of the Chisholms) every proof can be given and from my knowledge of the circumstance. I am of opinion that the

whole amount will be paid in two years. And am quite certain that it must be so - before three years has expired -

I shall be obliged by your submitting this to the Council at their next meeting and favouring me with their decision, I shall be most happy to furnish any further information

From

Toronto 12 August - 1840 -

Mr E. Small. Sir
Solicitor

I have the honor to acknowledge the receipt of your note of the 2nd ult^o enclosing a correspondence relative to a surrender of a small plot of ground from the Corporation of Kings College for her Majesty for the purpose of erecting thereon a Magnetic Observatory. Having examined the same I find Lieut Riddle of the Artillery proposes that the land in question shall be deeded to her Majesty for the purpose above mentioned, on condition that when no longer occupied for scientific purposes the title shall revert to the University of Kings College together with all buildings erected thereon, subject to the right of Her Majesty's Government to resume the possession and occupancy thereof if again required for scientific purposes. Entertaining a doubt of the validity of any instrument surrendering to the Crown upon conditions so far as the interests of the University are to be affected I have taken time to look into the question, and have now the honor to state for the information of the Council that I have not been able to satisfy myself that a conditional surrender to the Crown will effect the object of securing to the University the right to resume the possession and occupancy of the premises without a fresh grant from the Crown - and as in all probability they will be placed in the care and under the control of the Board of Ordnance, some difficulty might arise hereafter in the College Council obtaining possession although unoccupied for scientific purposes by the Crown.

I would therefore respectfully suggest for the consideration of the Council whether it would not be better to surrender the piece of Land in question unconditionally to the Crown with the understanding that it shall be regranted to the University subject to the right of the Crown to use it from time to time as may be required for the scientific purposes mentioned.

I have the honor to be

Sir - Your O^bd^t Serv^t -
 Jas E Small.

From
 J. G. McDougall Esq^r
 Cashier M.C.

Bank of Upper Canada
 Toronto Aug. 14th 1840 -

Sir
 In conformity with your letter dated 6th Inst^t I have this day purchased for account and at the disposal of the Council of Kings College - Debiture No. 363 York Roads £500 - - - for which the Council account of the Council of Kings College is charged in the sum of £510-1-3 of Particulars as under -

No 363 York Roads Debitures	£ 500 - - -
Interest on D ^t from 14 th May to 13 th Aug. incl ^d	4-11-3
Agency 1/2 % on the Transfer	2-10- -
	<u>£ 510 - 1 - 3</u>

I send herewith the usual Certificate of Lodgement.

Believe Sir &c -

J. G. McDougall -

From
 A. Cameron Esq^r
 Solicitor to Law Society

Temple Chambers 17 Aug. 1840

Sir
 I have been directed by the Law Society to request that you will submit to Kings College Council the claim made by the Society on several occasions before and again now to a right of way of our claim in width on the west of the piece of ground on which the building called Osgood Hall stands in order that some Deed or Instrument may be prepared acknowledging that such right is in existence and removing all possibility of future

dispute on the subject, This right of way has always been admitted. And I would refer you to a correspondence which took place concerning it in December 1833 and April 1834 between the then Solicitor of the Law Society and the Rector of Kings College in which you will find the grounds on which the Law Society found their claim.

I have the honor to be
Sir - Your O^b servant

J. Hellyar Cameron -

From

Monday Morning - August 17th

James M. Strachan - My dear Sir,

I resume Mr. Redout's mortgage and Bond connected and acknowledged. The error was a mere clerical one and of no consequence. The interest commences from the date of the Mortgage the 24th March and the Broken Period of 90 days viz from 24th March to the 30th June ought to have been paid on the latter day.

Leave it amount to £ 14 - 1 - 11 -

I think you will find this correct -

Yours faithfully

James M. Strachan.

To

J. G. Redout Esq. Sir

Kings College Office Toronto

18th August 1840

A Broken period of interest upon your Mortgage to this Corporation became due on the 30 June last, being 90 days from the date of your Mortgage and amounting to £ 14 - 1 - 11 - I have to request you will transmit the ~~amount~~ amount to this Office or place it to the credit of the Council of Kings College - in the Books of Upper Canada Bank.

I have the honor to be

Sir

Your most O^bt. Servant

H. Boys.

J. G. Redout Esq.

Bureau W.C.

To

John Macdonald Esq. Sir

Kings College Office Toronto

18th August. 1840.

A broken period of interest on your Mortgage to this Corporation became due on the 30th June last, being 94 days from the date of your Mortgage due, and amounting to £ 13-10-5. I have to request you will transmit the Amount to this Office or pay it into the Bank of Upper Canada to the Credit of the Council of Kings College.

I have the honor &c.

W Boys - Secy.

From

S^r B Harrison Esq Sir

Government House

17th August 1840

Private Secretary

I have the honor by the command of the Lieutenant Governor, to request you will have the goodness to furnish me for his Excellency's information with a statement of the Finances and Revenues of the University of Kings College up to the 30th of June last.

I have the honor to be &c.

To

S^r B Harrison Esq

Govt House. 20 August 1840

Mr Harrison presents his compliments to S^r Boys and begs to inform him, that the Lieutenant Governor particularly wishes the statement of the Finances and Revenue of the University of Kings College specified in Mr Harrison's official letter of yesterday to be furnished this evening.

To

S^r B Harrison Esq Sir

Kings College Office Toronto

20 August 1840 -

Private Secy

In compliance with the command of his Excellency the Lieutenant Governor, I have the honor to enclose to you two returns on the finances and Revenues of the University of Kings College, numbered 1 & 2. -

No 1 will show the probable income and expenditure of the University calculated on the state of the property on the 30th June last.

It differs very little from former Statements delivered to His Excellency and to the Legislature, for although we have received many debts due to the Corporation, arrears of rents and of instalments of purchase money, have gone on accumulating, and the source of receipts arising out of the sale of land has been entirely suspended till the disposition of the college lands shall be completed. I think the Corporation may consider that on the present state of their Property they have a surplus income of rather more than 4000£ a year -

For some years to come they are likely to receive a much larger sum beyond their expenditure but it would not be safe to view such excess as available for expenditure, as it would arise principally from the conversion of their Lands into money, and to that extent I submit it ought to be put by as Capital.

No 2 gives the Particulars of the balance in Cash, and profitable investments on 30th June last.

I have the honor to be
Sir Your Obedt Servt -
A Boys

Return No 1.

An Estimate of the Annual Income and expenditure of the University, including Kings College and Upper Canada College -

Income.	Expenditure.
Royal Grant to U.C.C. 1,111.	Kings College Bursars Office at 750 -
Sub on Investments 1383.10.	K.C. College Grounds at 312 -
do on Loans & debts 555.12.	U.C.C. salaries of Principal,
Rents of Land about 1100 -	Master, and Porter - 306 5 -
Purchase money of lands outstanding with interest already accrued thereon & arrears of rents together amounting to about £80,000. take the income from this source at about - 4,000 -	U.C.C. Repairs and Contingencies at 150 -
Bal of U.C.C. dues about - 400 -	U.C.C. Insurances 60 -
<u>£ 8,550.2.0</u>	<u>£ 4345-0-0</u>

A Boys Bursar K.C.

Return No 2.

State of the unappropriated funds of Kings College
on the 30th June last 1840 -

Provincial Debentures	22 391 " 11 " 11
Upper Canada Bank Stock	250 " 0 " 0
York Bank Stock	187 " 10 " 0
Bal ^{ce} in Bank of Upper Canada -	338 " 1 " 1
Bal ^{ce} in Bursers hands	22 " 9 " 7 1/2
	<u>\$ 23409 " 12 " 7 1/2</u>

H. Bays - Treasurer &c.

From
Wm H Lee Esq. Sir

Executive Council Office
Toronto 21st August 1840

I have been directed by the Lieutenant-Governor in Council to transmit to the Council of Kings College, the enclosed copy of the opinion of the Law Officers of the crown, with reference to your letter to Mr Secretary Lusher of the 22nd June last relative to certain Provincial Debentures redeemed by the Receiver General from the School funds.

I have the honor to be &c
Wm H Lee

From
Wm H Draper Esq. Sir,
Attorney General

Attorney Generals Office
Toronto 21 July 1840

I have the honor to return herewith the papers respecting the Investments of certain School monies in Provincial Debentures under 2nd vic Chap 10, which were referred by the Honorable the Executive Council for the opinion of the Law Officers of the Crown. In arriving at a different conclusion in point of Law from the Solicitor of Kings College I have done so as will be seen upon a statement of facts differing in a particular which I conceive of extremely important as to the Authority by which the notice calling on the holders of certain Debentures to present them for redemption was issued.

Had it been stated that such notice was issued without the sanction of the Lieutenant Governor, I cannot assume that there would have been any difference of opinion on the legal question submitted.

I have submitted the different papers enclosed to the Solicitor General and am authorized by him to state that he concurs with me in the opinion I have formed, but states that if the notice had been as assumed by the Solicitor of King's College - authorized by the Lieutenant Governor, and Warrants had gone for the ^{payment of the} Debentures, the mere discharge of such warrants and payment of such Debentures out of a wrong fund would not have rendered such payment nugatory and left the Debentures valid securities for the money -

I have the honor to be
Sir

Yours Most Obedient
Signed) Wm H Draper.

Case.

The Statute 2nd Vic: Ch. 10, Sec 3 enacts that the money now remaining in the Receiver General's hands unexpended arising from the sale of School Lands or which may come into his hands applicable to the purposes of this Act shall be invested in the Debentures of this Province at six per cent interest and the proceeds placed under the control of the Council of King's College - for the purposes of this Act -

The Lieutenant Governor after the passing of this Act directed and issued a warrant to the Receiver General drawn upon these School monies in his hands, for the sum of £ 12000 to be invested in the Debentures of the province pursuant to this Act. The Receiver General without any further or other direction on the subject issued a notice calling upon the Holders of certain Government Debentures, which were then due and payable by the Province, "to present the same at his office" for redemption agreeably to the respective Acts

"of the Provincial Legislature under which the same were issued."

In compliance with this notice Debentures advertised for to the amount of \$5500 were presented to the Receiver General by the holders, and he paid them the amount respectively secured thereby out of this school money.

There were no Provincial Funds in the hands of the Receiver General at the time of issuing the notice or of paying the holders the amount of their debentures applicable for the redemption of them. Nor had he any warrant or direction from the Lieutenant Governor on the subject other than as above specified.

And the question raised is whether these Debentures can under the facts stated, be considered as valid and existing securities available to Kings College Council for the purposes of the Act 2nd Vic., or whether they must be considered as redeemed by the Receiver General and thereby virtually cancelled.

The only difficulty which can possibly arise in answering this question is created by the Notice published by the Receiver General with respect to which two things may be remarked.

1st That in point of Fact it was not issued in pursuance to any direction from the Lieutenant Governor.

2nd That it does not purport to have been issued by any such direction or authority whatever motive may have weighed with the Receiver General it is abundantly clear, that he neither had the intention, the means, nor the authority to discharge and cancel these Debentures, and whatever may be the Character of this Notice in regard to the Holders who were induced by it to bring their debentures to him (which possibly they would not otherwise have done). As respects all other parties, it can I think only be looked upon as a means taken to facilitate the procuring of Debentures in order to make the investment

directed under the authority of ^{2^d} Vic.

I see no legal impediment to the Receiver General purchasing Debentures on his own private account, or as agent for third parties from any holders willing to sell them - Debentures thus coming into his hands would not by mere force of his Character as a Public Officer whose duty it is under certain instructions and authority to discharge and cancel Debentures, be paid off and discharged. In the present case he received £12000 for a specified purpose - viz: to invest in Debentures. It does not make any difference in my view that this money belonged to a fund of a Public character or that a warrant for its investment under the statute was according to official routine necessary to enable him thus to expend it.

I look upon the transaction in the same light as if this £12000 had been placed in his hands by a private friend with a request that it should be similarly invested. Then does the notice make any difference. If the whole transaction had been of a private character as above supposed, could the Receiver General after delivering the Debentures so purchased to the individual whose money procured them refuse to pay him the interest upon the ground that he had got these Debentures from the holders in consequence of such a notice, or if he did pay the interest as it to be imagined that the Pro: Gov: or Legislature would disallow that payment on the same pretext. Surely not when in the 1st place the Receiver General had no power of himself to call in Debentures for redemption, 2^{dly} when he had not obtained direction and authority to call them in from the proper quarter -

3^{dly} When in the notice by which he does call them in he does not profess to be acting under any such Authority.

In my opinion this notice so given cannot—after the real nature of the transaction as regards the public or the parties by whose money the Debentures were obtained. As regards the original holders no question at present arises. It follows in my opinion that the debentures thus acquired are valid and available securities and as such may be received by the College Council

21 July 1840

Signed) Wm H Draper,

From
James Stephen Esq. Sir

Government House 22 August 1840

I have the honor by Command of the Lieutenant-Governor, to transmit you the accompanying application from Mr Barber which I am to request you will have the goodness to lay before the Council of King's College for their consideration. I have the honor to be

Sir Yr ob^t Serv^t &c

James Stephen.

From
Mr Barber

Sir,

Toronto Upper Canada.
August 30th 1840.

During the period of my Editorial connection with the Patriot newspaper, I have been on more occasions than one, personally assailed by the Editors of certain contemporary Journals of opposite politics, upon what they were pleased to term my dishonorable dismissal from Upper Canada College.

I can have no desire to shelter myself from the United Censure of great negligence of keeping the College afloat, but at the same time I have no right to suffer a larger degree of public condemnation than is justly attributed to me in that matter.

His Excellency the Lieutenant Governor may not perhaps be aware that at the time of my dismissal I had not the opportunity of either advancing a single argument in my defence or of urging any extenuating circumstances of which the case admitted.

Moreover, I have received no consideration whatever for the measures which I have taken since I left the College, to render satisfaction for my error, to the utmost of my ability: on the contrary so far as Kings College is concerned had I retained the £550 I paid over when I resigned the office of Collector, had I refused to render my accounts at all, and had I put out of reach the property, which to the appraised value of more than a thousand pounds I have conveyed to the College in part payment of the amount in which I was deficient.

I could not have been left, in the estimation of Society, in a more, unfavorable position than I have been. After doing every thing, in my power to repair the wrong into which a procrastinating habit so unfortunately led me --

For the purpose therefore of enabling me to place this matter in its true light before the Public, so that I may suffer therein no more than the due degree of Censure. I most respectfully request His Excellency will be pleased to refer my case back to Kings College Council for further consideration and enquiry, that I may thus, have afforded me the opportunity of defending myself from any other imputation than that of negligence in my College Transactions, and of vindicating my Character from the charges of Dishonor -- and even dishonesty which have been made against it, and thereby remove any disqualification which may be supposed to exist either to holding a public situation or to obtaining employment in other capacities.

I am Sir your Obedt

to

Humble Servant,

Wth Secretary Harrison

G. Barker

From
 W. Sullivan Esq

Crown Lands Office

24th August 1840.

I have the honor to transmit
 an account covering the expenses of the maps copied
 for the University in the Surveyor General's Office

I am unable to send receipts from the
 gentleman who was employed having paid him
 for his services on account, he left without intending
 to return but changed his mind and proceeded to
 Europe without giving me his receipts -

I have the honor to be &c
 Signed W. Sullivan

This letter with the
 account and map
 is forwarded to the
 paymaster under date
 31st Oct 1840.

From
 W. Harrison Esq

Government House -

30th May 1840 -

I have honor to acknowledge the receipt of
 your letter of the 21st of May referring to the minute
 of Kings College Council, directing the Bursar to apply
 to you for maps of the Townships in which the College
 is interested and requesting me to let you know
 the pleasure of the Lieut Governor whether you
 should be authorized to employ a person to perform
 the work and if so whether you should charge the
 expense in your contingent account, or send it to the
 Bursar to be discharged from University funds.

In reply I am commanded to inform you
 that His Excellency sees no objection to your
 employing a person to perform the work, but he
 considers that the expense should be defrayed
 by the Kings College Council from the funds of the
 Institution, and I am to request that you will
 have the goodness to send in the account to the
 Bursar accordingly -

I have the honor to be &c
 Signed W. Harrison.

The University of King's College
to the Surveyor General.

Paid Mr Callaghan for forty one days work in copying
Twenty six maps of Townships in the Home District
for the House of Commons at two shillings per diem
£30-10-0

Surveyor General's Office

20th August 1840.

W. C. Sullivan.

Surveyor General's Office

Toronto 22nd August 1840

I certify that Mr Callaghan was employed from
about the 1st day of June to the 11th day of July 1840
inclusive being 41 days employed.

J. G. Hewitt.

From

James Hopkirk Esq Sir

Priv. Secretary-

Government House

11th September 1840.

I have the honor by the command of the
Lieutenant-Governor to request you will have
the goodness to transmit to me for His Excellency's
information as soon as possible; copies of the two
last minutes of King's College Council respecting
the Establishment of the University.

I have the honor to be -

Sir, Your most Obedient
(Signed) James Hopkirk

To

James Hopkirk Esq Sir

Priv. Secretary

King's College Office Toronto

11th September 1840

In compliance with your letter of this date
I have the honor to enclose copies of the two last
minutes of King's College Council respecting the
Establishment of the University.

I have the honor to be

Sir,

Your most Obedt Serv^t
(Signed) H. Boys.

From

Sir,

Monday 19 Oct: 1840

The Lord Bishop of Toronto

I have just received the enclosed letter from President of the University Sir Allan N. Macnab and, if it be in order I am disposed to comply with his request, and attend at the Council, if called at 2 o'clock Wednesday next.

Y^r Obedt. Servant

I am, Sir, yours truly (signed) John Tomlinson.

Enclosure to the above letter,

My Lord,

Toronto October 18th 1840.

I have the honor to request that your Lordship will call a meeting of the members of the College Council on Wednesday next, to enable me to submit for their consideration a proposition connected with the interest of that Institution and of much consequence.

Yours Lordship's most obed^t Servant

To the Lord Bishop of Toronto. (signed) Allan N Macnab.

To

Sir,

K. C. O. Toronto, 19 Oct: 1840.

Mr Secretary Harrison

I have the honor to request you will submit the enclosed letters to His Excellency the Lieut Governor Chancellor of the University, and, if it meets with his approbation, obtain from him permission for the assembling a Council of King's College on Wednesday next at two o'clock.

I have &c.

W. B. Pears, K. C.

From

Sir,

Government Office Toronto, 19 Oct: 1840.

Mr Secretary Harrison

Having laid before the Lieutenant Governor your letter of this date requesting his instructions as Chancellor of the University with reference to your calling a meeting of the Council of King's College for Wednesday next at two o'clock in compliance with the request of Sir A. N. Macnab, I have the honor, before signifying His Excellency's approval of your taking the necessary steps for that purpose, to say, that he wishes to be informed upon what subject it is desired to draw the attention of the Council.

The enclosure, which accompanied your communication is herewith returned. I have &c.

W. B. Pears, Secy. General, K. C.

(signed) W. B. Harrison.

To

Sir,

K.C.O. T. 20 Oct. 1840.

Mr Secretary Harrison

In reference to your letter of yesterday's date I have the honor to state that to avoid the delay of correspondence, I have waited on Sir Allan Macnab, who has assured me that the subject to which he wishes to draw the attention of the College Council, is confined to a proposal of an arrangement of his liabilities to the College. He seems to have private reasons for asking an immediate opportunity of submitting his proposition.

Requesting the further instructions of this Hon^{ble} the Chancellor, I have the honor to be, Sir, Yrs. &c. W.B. Nassau, M.C.

From

Sir,

Gov^t House, Toronto, 20th Oct 1840.

Mr Secretary Harrison

In reply to your communication of this day's date I am directed to intimate the Lieut^g Governor's approval, as Chancellor of the University, of your calling a meeting of the Council of King's College for tomorrow at 2 o'clock.

Attest by s. I have signed: J.B. Harrison.

From

Sir

Toronto, October 20, 1840.

The Honble Sir Allan Macnab.

In liquidation of the claim of King's College against me, I beg to offer the following lots of land the average value of which I consider is 15/- per acre. The lot of 200 acres in Moor I am informed is worth 30/- an acre. I should not have troubled the Council with this offer, but at the present period I find it impossible to dispose of property and have no other means of meeting the demand. Lands must shortly not only become saleable but very much increase in value. I therefore trust the Council will feel justified in granting my request.

To the Chancellor & Members of Sec. I have signed: Allan Macnab.

West 1/2 of lot N^o 15 in 8th Con^t. Brooke. - 100 acres

Broken lots 17 & 18 in 5th Con^t.

97 & 98 in 2nd Con^t.

} Tay. - 300 "

Lot N^o 15 in 2nd Con^t. Moore - 200 "

Lot N^o 22 in 14th Con^t. Plympton - 200 "

800 "

To

Sir,

K. C. O. Toronto, 21st Oct. 1840.Mr Sec^y Harrison.

in the minute
C. M. B. p. 203-204.

I have the honor to enclose the minutes of the Council of King's College held on the 21st instant for the purpose of their being submitted for the information of His Excellency the Lieutenant Governor, Chancellor of the University. I have &c. H. B. Registrar R. C.

To

Sir,

K. C. O. T. 23rd Oct 1840.The Hon^{ble} Sir H. N. Macdougall

particulars see
C. M. B. p. 204.

Your letter of the 20th instant, addressed to the Council of King's College, was submitted to that body on the day following; and I have now the honor of enclosing you the minute they made thereon.

I have &c. H. B. Registrar R. C.

To

Sir,

K. C. O. T. 23rd Oct 1840.Mr Sec^y Harrison

in these minutes
C. M. B.

3rd - p. 204.4th - p. 204.19th - p. 207.Ans^d 10 Nov^r see p. 135.

I have the honor to enclose to you the 3rd, 4th & 12th minutes of the Council of King's College held on the 21st inst^{ce} which appear to require to be separately brought under the consideration of His Excellency the Lieutenant Governor, Chancellor of the University.

I have &c. H. B. Registrar R. C.

From

Sir,

Toronto, 24th Oct 1840.The Hon^{ble} Sir H. N. Macdougall

21st Oct. made a point in
Council and the

in the minute
C. M. B. p. 204.

in the minute
C. M. B. p. 204.

I have the honor to acknowledge the receipt of your communication of the 20th inst^{ce} and regret that the Council could not accept of my offer.

I now beg leave to propose a mortgage on the land already mentioned with an additional six hundred acres making in all fourteen hundred acres to secure the payment of my debt in five annual instalments with interest.

I have &c.

H. B. Registrar R. C.

James Allan W. Macdougall.

To

Sir,

K. C. O. T. 26th October 1840.

James S. Small Esq

in 10th Min. of Council
C. M. B. p. 204.

For copy of the Power of
attorney see next page.

I have the honor to transmit to you a Power of Attorney from the Council of King's College, authorizing you in their behalf, as occasion may require, to give notice to quit, to demand possession and to execute all such other documents as the Council may see fit to execute.

I have &c.

H. B. Registrar R. C.

R.C.C.T. 26 Oct 1840.

James E. Small Esq;
of the University
of the Province of Upper Canada
this minute was C.M. to p. 207
and 26 Oct 1840
and the order is 146
Mr Small Esq letter this 10th 1840

In compliance with the eleventh minute of the
Council of Kings College held on the 28th Instant of which
I enclose a copy I have the honor to enclose Mr Small's letter
of the 28th July last which the said minute refers.

I have &c. W. B. Munro, Secy.
Copy of the 11th minute &c.

Power of Atty.

Copy of the Power of Atty given by the Council of Kings College
to their Solicitor, transmitted to him on the 28th of October 1840
See preceding page.

Know all men by these presents that we the Chancellor
President and Scholars of Kings College at the City of Toronto in
the Province of Upper Canada have made, ordained, authoriz-
ed constituted and appointed and by these presents do
make, ordain, authorize, constitute, and appoint, James
Edward Small of the said City of Toronto in the same District
and Province aforesaid Esquire Solicitor of Kings College our
true and lawful Attorney for us and in our name from time
to time as occasion may require to give notice to quit to
all Tenants and persons occupying any part of Block
Number 10 in the City of Toronto aforesaid in the County
of York in the same District and Province aforesaid, or any
other Lands, Tenements, Hereditaments and premises
belonging or in any wise appertaining to us or wherein
we have any Estate or Interest whatsoever, Situate lying
and being in the City of Toronto aforesaid or in any other
part of the Province of Upper Canada. And also for us
and in our name from time to time as occasion may
require so being by us directed to demand possession of
and from all Tenants and persons occupying any part of
Block number 10 in the City of Toronto aforesaid or any
other Lands, Tenements, Hereditaments, and premises
belonging or in any wise appertaining to us, or wherein
we have any Estate or Interest, whatsoever, Situate lying
and being in the City of Toronto aforesaid or in any other
part of the Province of Upper Canada. And in default
of Possession being given, we give and grant unto our
said

said Attorney full power and authority for us and in our name to commence and prosecute and defend or actions, suit or suits, in any Court or Courts, of Law or equity for the recovery thereof and the same action or actions, suit or suits to prosecute and follow or to discontinue if so shall see cause, and generally for us and in our name to execute and perform all and every other act deed and thing needful and expedient in and about the premises as fully and effectually to all intents and purposes as we could or might do if we were personally present. We the said Chancellor, President and Scholars of Kings College at Toronto aforesaid hereby ratifying confirming and allowing all and whatsoever our said Attorney shall lawfully do or cause to be done in or about the premises.

In Witness whereof we the said Chancellor, President and Scholars of Kings College at Toronto aforesaid have herunto affixed our common seal this Twentieth day of October in the year of our Lord one Thousand Eight and Forty.

signed sealed and delivered
in presence of J. L. Reed

signed H. W. Rogers
Registrar R. C.

To
J. L. Reed, Esq.
Secretary to the University
for the 13th Minute
see C. M. B. p. 209.

Dear Sir,
In compliance with the 13th Minute of the Council of Kings College held on the 11th Inst., of which minute I subjoin a copy I have the honor of sending you Mr. Reed's letter therein referred to, with its enclosure.

I have &c. H. W. Rogers
Copy of the 13th Minute &c -

To
Mr. L. H. Harrison

Dear Sir,
K. C. O. T. 27th Oct 1840
I have the honor to state to you for the information of the Hon. Lieutenant Governor, Chancellor of the University, that in compliance with the established rule of the Council of Kings College to meet on the last Wednesday of every month, a meeting of that body has been summoned for tomorrow, Wednesday the 28th Inst., at two o'clock.

I have &c. H. W. Rogers, R. C.

To Messrs 30 Oct 1840. Transmitted to Mr Harrison
Mr Sec^y Harrison the Minutes of Council held on the 20th Nov 42

To
Wm L^y Garrison
Mem^o 30 Oct. 1840. Transmitted to Mr Garrison the
5th Minute of the Council held on the 20th Nov last with a
copy of the minute of the Council of the 27th June last
to which it refers.

To Messrs 31st B. F. 1840. Sent to the Librarian Mr. Mac
the Hon. Secy H. N. MacKab. a copy of the 3^d Minute of Council of 22 Oct 1840.

To
Mr McCaul

Mem^o: 31st Dec 1860. Sent to Mr McCaul the Map of
the Trustees of the Free District School as ordered by the
3rd Minute of Council of 20th Oct 1860.

From Sir, North American Hotel, Toronto 29 Oct. 1880
In reference to the communication I had with you
yesterday and your letter of the 28th I herewith
enclose a statement of the land mentioned in
my former communication and to which I have added
600 acres, making in all 2000 acres. I trust this will
be considered sufficient

Accuseth
 829 in the 9th conception — 200
 627 in the 10th conception — 200
 827 in the 10th conception — 400
 1400.

otherwise it was not Published according to Law.
 And consequently could have no valid operation
 in Cancelling the Securities called in by the Receiver
 General, assuming as the Crown Officers appear to have
 done that in Point of Fact. The notice was not
 issued in pursuance of any direction from the
 Lieutenant Governor, The Attorney General is fully
 justified in declaring that "had it been stated that
 "such notice was issued without the direction of the
 "Lieutenant Governor, I cannot assume that there
 "would have been any difference of opinion on the
 "legal question submitted. In viewing therefore
 this new feature of the case, I feel warranted in
 concurring in the opinion of the Law Officers of
 the Crown that the notice so given cannot alter
 the real nature of the transaction as regards the
 Public, or the Parties by whose money the Debentures
 were obtained, and that the Debentures thus
 acquired are valid and available securities
 and as such may be received by the Council
 of Kings College - I have the honor to remain
 Sir

Your Obedient Servant
 Signed Jas E Small

Given
 R. Harrison Esq.
 His Secy

Sir

Government House
 5th November 1840

made in Council 11 Nov. 1840. see C. M. B. p. 213.

I have the honor to acknowledge the receipt
 of your letter of the 30th 11th enclosing copy of a Minute
 of the Council of Kings College held on the 28th 11th
 together with the Minute of the 27th June last to
 which it refers containing regulations to be adopted
 in all the schools receiving the annual grant of
 £100 and particularly containing a resolution
 to allow assistants in District Schools £50 per annum
 under certain regulations.

In reply I am commanded to acquaint you
 for the information of Kings College Council that His
 Excellency approves of the assistants receiving

From
 W. Harrison Esq. the 27th of June last, and subject to the regulations therein mentioned and that he has also been pleased to approve of all the regulations to be adopted in Schools by those regulations.

I am also to acquaint you with reference to the Minute of the 20th ult^o that His Excellency agrees with the Council that the aid proposed by the Minutes before mentioned is of more indispensable necessity than the sum proposed to be appropriated for the erection of School Houses, and that the latter therefore should be postponed until the funds admit of the appropriation, without interference with the employment of Assistants according to the Minute of the 27th June last.

I have the Honor to be &c
 Signed W. Harrison.

From
 James Hepburn Esq. Sir,

Government House
 1st November 1840

I have the honor to inform you that the Lieutenant Governor has been pleased in terms of the request of Kings College Council as intimated in their Minute of 31st ultimo to direct the opinion of the Law Officers to be obtained regarding the ground proposed to be surrendered to the Crown for a Magnetic Observatory and I am now to transmit you that opinion for the information of the Council, and I at the same time return Mr. Small's letter referred to in the Minutes.

I have the honor &c
 Signed James Hepburn.

From
 Messrs W. A. Draper and
 Robt Baldwin. Sir,

Attorney General's Office Toronto
 4th November 1840

We have the honor to acknowledge the receipt of your letter of the 3rd ult^o enclosing an extract from the Minutes of the meeting of the Council of Kings College on the 21st ult^o and in reply thereto to report that we are both of opinion that in order to avoid any difficulty arising from the causes suggested in the letter of the

Solicitor of Kings College, it will be better for the Corporation of Kings College to execute a covenant to permit the two acres in question at all times hereafter to be occupied by such officers as Her Majesty may be pleased from time to time to appoint for the purpose of keeping and using the Magnetic observatory thereon erected and to permit the building and maintaining all such buildings as Her Majesty shall direct to be thereon erected for the purpose of an observatory. The cession of the buildings now built and the reversion of them to Kings College when not required by Her Majesty might be stated as the consideration of this Covenant.

To the Private Secretary

L. L. L.

We have the honor to be &c &c

(Signed) W. H. Drake

Robt Baldwin.

From
B. Harrison Esq
Per. Secy

Sir,

Government House

10th November 1840—

I have the honor to acknowledge the receipt of your letter of the 23rd ult^o and enclosing an extract from the Minutes of Kings College Council held on the 21st ult^o on the subject of the site of the Provincial Asylum for Lunatics which I have laid before the Lieutenant Governor.

I hereby I am commanded to inform you for the information of Kings College Council that the determination of His Excellency to fix the site of the permanent Asylum at Kingston was made in compliance with the opinion of the Governor General who considered that town as the most central and eligible place with reference to the state of things after the Union shall have taken place.

I have the honor to be

Sir

Your most obedient

Humble Servant

(Signed) B. Harrison

H. C. C. L.

H. C. C. L. E.

H. C. C. L. E.

H. C. C. L. E.

Nov 4th 1840

I have to request that you will be so good as to submit to the Council of King's College the enclosed accounts it is for the expense incurred by Mr. Barron the 2nd Classical Master of the College in building an additional room for the accommodation of his Boarders.

As the emolument derived for this house has been mentioned amongst the advantages of the appointment and it appears very desirable to give every encouragement to those who undertake the charge of resident pupils I beg leave to draw the attention of the Council to the consideration of the propriety of charging the expense to the College accounts, I gladly avail myself of this opportunity of bearing testimony of Mr. Barron's faithful and diligent discharge of his duties during the time that the Institution has been under my care.

Believe me Sir

Yours H. C. C. L. E.

Mr. Barron's acc. Mr. Barron

H. C. C. L. E. November 14th 1840

mentioned in the preceding

letter -

Carpenters & Bricklayers work for new Room £ 22 - 11 - 0¹/₂

Carpenter's acc for Closets Bookshelves } 5 - 3 - 8

Trouble in new door &c

Sims' acc for pipes and trough } 1 - 18 - 9

to carry off rain

£ 30 - 13 - 5¹/₂

Seduck for Wash Stand

" 14 - 6
£ 29 - 15 - 11¹/₂

To

Sir,

H. C. C. L. E. 13 Nov. 1840

The Hon. Mr. A. M. Mackay

I have the honor to enclose to you the second minute of the proceedings of the Council of King's College at their meeting held on the 11th inst. - I have signed W. B. Registrar, H. C. L.

25

a similar letter to the above to Sir Allan Mackay, M.M.

The Lord Bishop of Mont.

From Sir, Toronto 14th Nov^r 1840

W^{ch} Strachan & Burns

Will you be good enough to let us know the land offered by Sir Allan M. MacNab as security to the College, in order that His Lordship the Bishop may judge as to the course he will adopt upon the minutes of the proceedings of the Council sent to him.

W^{ch} Boys, Esq^r - Yours obed^t Serv^t
Pres^{nt} of King's College (Signed) Strachan & Burns

To Memorandum 16th Nov^r 1840. Sent Mess^{rs} S & B a schedule

Mess^{rs} Strachan & Burns of the lands offered to the College by Sir A. M. MacNab

Mess^{rs} Strachan & Burns. Mem^o 16th Nov^r 1840. Mess^{rs} S & B. on the part of the Bishop took up the notes of Mess^{rs} Thorne & Barwick due on 24th Dec^r 1838 and paid the interest on them to this day - the notes & interest amounting to £462.15.0 Cur^r I gave them up the notes and at their request gave them a receipt for the amount.

To Sir H. C. O. Toronto 16th Nov^r 1840.

Mr Leavelle Harrison

I have the honor to enclose the minutes of the Council of King's College held on the 11th Inst^o for the purpose of their being submitted for the information of His Excellency the Lieutenant Governor Chancellor of the University.

I have &c W. B. Registrar, H. C.

From Sir Toronto November 16th 1840.

Hon^{ble} Sir A. M. MacNab.

I have the honor to acknowledge the receipt of your note of the 13th Instant communicating a copy of the minute of the Council of King's College in regard to the debt due by me. Since I last addressed you, and whilst a negotiation was going on for a settlement, I find that James Strachan, Esq^r, has issued on the judgement in favor of the corporation a fi: fa: against my goods & chattels in this District, to which he has procured a return of "nulla bona", and thereupon sued out a fi: fa: against my lands and tenements. I did not for a moment suppose that these proceedings would have been directed by the Council pending the proposed arrangements, as between individuals such a step, would be considered a breach of faith. On application to W^{ch} Strachan he informed me that he had received no

further instructions from the Council, but was acting on former instructions and in obedience to the wishes of the Lord Bishop. I now complain to the Council of the injustice and harshness of the proceeding and the impropriety of my being thus harried in the name of the Council by the directions of an individual to answer his own ends.

I proposed to the Council a similar arrangement to that which had been entered into in the case of Mr Kidout and Mr Radenburgh. I beg to renew my request, and that the Council will transfer the case against me into the hands of the Solicitor acting under the board. But, should the Council decline accepting the Mortgage they will direct their Solicitor to proceed on the *f. f. a.* against my lands and not longer leave the matter, under the directions of an individual, who has adopted the most vexatious proceedings against me.

In addition to the steps before mentioned, as having been taken against me, I beg to state, that an execution against my goods has been issued to the Sheriff of Gore, a fourth against my lands in the Western District, a fifth against my lands in the Midland District, a sixth against my lands in the Gore District and a seventh against my lands in the District. In addition to all an injunction has been issued from Chancery to prohibit my selling the lands, the consideration for which the notes now held by the Council were given.

In conclusion I trust, while the Council forbear to proceed themselves against the original debtor, they will not permit that debtor, in the name of the Council thus to harry and oppress me, and burthen me with an intolerable amount of law costs besides forcing me into Chancery.

I have the honor to be

H. Boyl, Esq., Secy. H. C.

(signed) Allan St MacKale.

From

Sir,

Toronto 16th November 1840.

The Lord Bishop
of Toronto.

I have the honor to acknowledge your letter of the 13th Inst.
enclosing a minute of the proceedings of the Council of King's
College, at their meeting held on the 11th Instant.

On perusing these proceedings my attention was painfully
drawn to the proviso annexed to the 1st resolution, viz "provided
that His Lordship the Bishop of Toronto who is jointly responsible

"for the debt, execute a bond, or other approved security for the payment thereof, at the periods named in Sir Allan M^cNab's mortgage, subject to a report upon the title and value of the property offered."

On the purport of this proviso, I beg leave most distinctly to state for the information of the College Council, that I decline being a party to any arrangement which that body may see fit to enter into with Sir Allan M^cNab, for I have never asked or requested, nor do I now ask or require either time or indulgence.

My object and wish are to finish this vexatious business at once and to close the account with King's College, and nothing has prevented my doing so many months ago, but Sir Allan M^cNab's delay to state up his notes.

It is quite easy for that gentleman, if so disposed, to give the most ample security to the College Council, and to make even a more satisfactory arrangement than others have done. Had I not been well convinced of this fact, I should have retired Sir Allan M^cNab's paper long ago, as I did that of Mr Rofs.

I have only further to remark, that as Sir Allan M^cNab still delays making a satisfactory arrangement with the College the shortest remedy appears to be to let the judgement obtained against him take its course; and, should nothing be forthcoming from the return of that judgement, my Solicitors are prepared with funds to meet such contingency.

J^r Boys, Bursar of the
University of King's College.

I have the honor to be, &c
(signed) John Toronto.

To

Gentlemen

K. C. C. T. 19 Nov^r 1860

W^m Thacker & Sons

The suit of the King's College against Sir Allan Mac Nab on the note drawn by him and endorsed by the Lord Bishop of Toronto having given rise to unpleasant altercation I am directed by the Board to request you to hand over the papers in the suit to the College Solicitor, with your consent to a change of attorney and your bill of costs.

I have &c

J^r Boys Registrar K.C.

To

Sir

H. C. O. T. 19 Nov: 1840.

James E. Small Esq

I beg to enclose to you for your guidance, a copy of a letter I have been instructed by the College Council to address to Messrs Strickland & Barnes, who have the debt carried on the side against Sir Allan MacNab on behalf of the College: I have also

W.B. Esq. H.C.

H.C.

W.B. Harrison Esq. Sir

London

Government House -

14th Nov: 1840.

I have the honor to acknowledge the receipt of your letter of the 23rd ult^o transmitting an extract from the Minutes of the Meeting of Kings College Council held on the 30th ult^o requesting that the Lieut Governor would be pleased to inform them whether he had deemed it expedient to act on the suggestions contained in the Minutes of the 30th June & on the subject of the University, and what hopes the Council are authorized to entertain of the University being soon brought into operation which I have laid before the Lieutenant Governor.

In reply I am commanded to acquaint you for the information of Kings College Council that His Excellency is well aware of the ^{importance} of the University being brought as soon as possible into operation and that it is His Excellency's anxious wish that it should be proceeded with as soon as circumstances will admit.

As this however is a measure ^{in which} the Province are equally interested the more especially at the present time and with the prospect of the approaching Union His Excellency is desirous of ascertaining the sentiments of the Governor General on the subject, before taking any steps, and he has therefore directed me to acquaint you that he will immediately bring the matter under the Governor General's notice in order to ascertain His Lordship's views upon the subject.

I have the honor to be,

(Signed) W.B. Harrison

From
J. W. Harrison Esq. Sir
The rect-

Government House.
18th Nov^r 1840 -

I have the honor by Command of the Lieut Governor to transmit for your perusal the accompanying communication, with its enclosures, from Mr James Aiken, who complains that he has hitherto been debanded from purchasing the East 1/2 of Lot 2011 in 3rd Con^o of the Township of Toronto East of Mountain Street, in consequence of obstacles, which have arisen in the office of the Council of Kings College.

On reference to the receipt of the Late Bureau dated 6th of June 1834 It would appear that the balance of Rent on the Lot in question due by John Aiken on the 24th of June in the present year would not have exceeded £5-5/- Whereas His Excellency shewes from your demand for settlement dated 2nd May last, that the amount is stated at £7-5/-

You will therefore have the goodness to favour us with an early explanation on the subject of Mr Aikens statements for His Excellency's information.

I have the honor to be &c
(Signed) J. W. Harrison.

To
Mr Wm Hawkins
Mem^o 20 November 1840, transmitted to Mr Hawkins an extract from the minutes of the meeting of the College council held on the 18th Inst^o - being minute 41^o 7.

To
The Lord Bishop
also to
Mr A. N. Macnab.
Mem^o 21st Nov^r 1840. Transmitted to the Lord Bishop of Toronto, the 4th Minute of the proceedings of the College Council at their meeting on the 18th Inst^o.
Also transmitted the same to Mr Allan Macnab.

To
Secretary Harrison
Mem^o 21st Nov^r 1840. Transmitted to him the minutes of the Council of Kings College of 18th Inst^o for the information of this 2nd 9.

From
Messrs Strachan & Burns
Sir,
Toronto Nov^r 21st 1840.
We beg to request that you will send us a detailed statement of the Bishop of Toronto's account with Kings College up to this date as we have received instructions from His Lordship to close his account with that Institution. We are Sir (signed) Strachan & Burns.

From

Sir,

Toronto, November 21st, 1840.

Messrs. Strachan & Burns.

We have the honor to acknowledge the receipt of your letter of the 19th inst. requesting us "to hand over the papers in the suit against Sir Allan MacNab to the College Solicitor with our consent to the charge of attorney and our bill of costs" and in reply to state that there is no necessity for our taking any such step, inasmuch as His Lordship the Bishop of Toronto has placed funds in our hands to pay the amount recovered against Sir Allan MacNab upon King's College apportioning to His Lordship the judgement obtained against that Gentleman and in order that this may be effected without delay we send herewith an instrument to be executed under the Corporate seal of the Institution and we remain Sir

(signed) Strachan & Burns.

To

Gentlemen,

H. C. O. T. 21st Nov^r: 1840.

Messrs. Strachan & Burns.

I have the honor to acknowledge the receipt of your two letters of this day's date, one conveying an apportionment of judgement to be executed by the college the other requiring a statement of the Bishop of Toronto's account. - as the former requires the application of the Corporate seal it must necessarily stand over till the next meeting of the College Council which will be summoned for Wednesday next - the latter shall be complied with on Monday.

I have Sir W. B. Messrs. H. C.

From

Sir,

Toronto 21st November, 1840.

The Lord Bishop of Toronto.

I have the honor to acknowledge your letter of this date, enclosing an extract from the minutes of King's College Council held on the 18th inst. and have to state for the information of the College Council, that previous to receiving your communication my solicitors had instructions to take up Sir Allan MacNab's notes, on receiving an apportionment of the judgement obtained against him, to which I am legally entitled

Dr. Prosser

Russell & Co.

I have Sir

(signed) John Toronto.

From

Sir,

Toronto, Nov^r. 23^d. 1840.

Mr Allan R MacNab.

I am informed that His Lordship the Bishop of Toronto has applied to the Council for an affirmation of the judgement, he has obtained in the name of the Council, against me. I trust the Board will not comply with his request, unless they are willing to sanction what he has done and permit the name of the Council to be used to my prejudice, which I have never understood them to have done. - After notes are paid and returned to His Lordship, he & I will be in a proper situation to settle all our matters, without the name of the Council being brought before the public.

I would however much prefer, that the Council would treat me just in the same manner they treated Mr Kidout & Mr Radenburgh. If the property I offered is not sufficient I can add more till they are satisfied.

I feel that I have a right to expect the same treatment at the hands of the Council as others precisely in my situation and not by their act put completely in the power of one who has shown every disposition to harass and oppress me. I have &c

D^r Boys

(Signed), Allan R. MacNab.

L. L. L.

To

Memorandum, 26th November, 1840, sent to him the Secretary Garrison minutes of the College Council held yesterday, 25th Inst.

To

Mem^o 27th Nov^r. 1840, transmitted to him the 3^d Minute of the Council held on the 25th Inst.

To

Mem^o 27th Nov^r. 1840, transmitted to him the 3^d Minute of the Council held on the 25th Inst.

Mr Allan MacNab.

To

Messrs Shachan & Burns

Gentlemen

Kings College Office Toronto

27th November 1840 -

I beg to inform you that I have this day transmitted to the Lord Bishop of Toronto the third minute of the proceedings of the College Council at their meeting held on the 25th Instant which conveys an answer to your second letter of the 21st Inst.

(Signed) H. Boys.

To
J. G. McDonald Esq.
Cash. B. M. C.

Sir,

Kings College Office Toronto
27th November 1840.

I request you to purchase for this Corporation Provincial Securities at 6. 5. Cent. Interest to the amount of about £1500 and charge the same to the account of the Council of Kings College. I have the honor to be
(signed) J. R. Rogers -

To
James S. Small, Esq.

Sir,

K. C. O. T. 25th Nov. 1840.

I have the honor to transmit to you the 5th Minute of the proceedings of the College Council at their meeting held on the 11th instant; and with it Mr. Hopkins letter and the opinion of the law officers to which it refers. I have
H. S. Registrar K. C.

From
Honble W. H. Draper
Attorney General.

Sir,

Attorney General's Office
27th Nov. 1840

I have the honor to enclose to you a deed from the Lord Bishop of Toronto to the Chancellor President and Scholars of Kings College which I have been instructed by His Excellency the Lieutenant Governor to prepare.

I have the honor to be
(signed) W. H. Draper.

To
The Lord Bishop of Toronto. Memorandum 30th Nov. 1840. Sent His Lordship the 4th Note of Sir Allan MacNab for £107.10.0, due on 24th next month.

To
J. G. McDonald Esq.
Cash. B. M. C.

Sir,

Kings College Office Toronto
3rd December 1840

I have to request that you will receive into the Custody of the Bank of Upper Canada the following secured Provincial Securities, amounting together to the sum of £5500 and receiving the interest of them as it becomes due and carrying it to the credit of the Council of Kings College for Grammar Schools. Viz -

To	No 31 Burlington Bay Canal	\$ 1000 - " - "
J. G. Ridout, Esq.	22 - " - "	1000 - " - "
Cash. B.M.C.	35 " " "	666 - 13 - 4
	98 " " "	833 - 6 - 8
	105 " " "	666 - 13 - 4
	198 " " "	333 - 6 - 8
	201 " " "	333 - 6 - 8
	250 " " "	250 - " - "
	251 " " "	250 - " - "
	254 " " "	83 - 6 - 8
	255 " " "	83 - 6 - 8
		<u>\$5500 - " - "</u>

with double and single, the
receipts of the 1st of the month
of the year 1840.

I request your acknowledgement of the receipt of
these I Enclosures and

I have the honor to be Sir
Yours &c H. Boys.

King's College Office Toronto
5th December 1840

To
J. E. Small Esq.
Vice-Chancellor to the University

Sir

Mr. Blevins having made a proposition
to settle his account with the College, I request
you will suspend proceedings against him if
it can be done, without material prejudice to
the case of the College, until I have had an
opportunity of taking the opinion of the College
Council on the subject when I will write to you
again if necessary -

I have the honor to be Sir
Yours &c H. Boys.

From
J. G. Ridout, Esq. Cashier
of Bank of M.C.

Sir,

Bank of Upper Canada Toronto 4th Dec 1840.

I beg to acknowledge the receipt of your letter dated
yesterday accompanying sundry debentures for account of the
Council of King's College for Grammar Schools, eleven debentures
in all, amounting to £5,500.. 0.. 0 currency, and for which I
enclose you the usual certificate of lodgement.

I have to direct your attention to the following
memorandum of agency, being $\frac{1}{2}$ of the amount of the
debentures lodged for the use of the aforesaid account; viz:

on sundry adventures lodged on the 4th July 1841 on £8859 — £22.. 2.. 11
 on D 3^d Dec^r 2^d £5300 — 13.. 15.. 0
 amounting to — — — — £35.. 17.. 11

for which you will please to give your check.

J. E. Small Esq.

I am &c

Kings College.

(signed) Thos Ridout, cashier.

From

Sir,

Toronto 5th December, 1840.

J. E. Small Esq.
 Solicitor to the Univ^{ty}.

Mr Gamble's letter p. 111.

With reference to your letter of the 26th Oct^r last enclosing Mr Gamble's letter dated 28 July previous proposing on behalf of Messrs C & W. Wadsworth of Stobicoke with the consent of the Hon^{ble} Colonel Wells that the College should accept a mortgage of £2400 payable in August 1842 on their freehold property valued at £5000 with collateral securities to the amount of £1010 in lieu of securities already offered by Colonel Wells for £2400 of the liabilities he is under to the College together with copy of the 11th Minute of the Council of Kings' College of the 21st October thereon whereby "it is referred to the Solicitor with directions for him to enquire & report whether it would be beneficial to the College to change their security on the plan proposed by Mr Gamble."

I have the honor to state that upon enquiry I find the property mentioned by Mr Gamble as "a freehold of two hundred acres" and that upon which the security is offered to consist of lot N^o 22 in conception C of Stobicoke a charge reserve containing 35 acres Lot N^o 23 in conception C same township a Crown reserve containing ten acres Lot N^o 23 conception B same township a Crown reserve containing 100 acres Part of broken lot N^o 24 conception C and south half of 24 conception B containing together 50 acres in the same township.

With respect to these lands I have after a great deal of trouble ascertained the following facts.

Lot N^o 22 in Conception C on the 24th May 1817 was leased to David Holly to hold from 23^d Dec^r 1815 for ninety-nine years N^o 23, conception C was leased on the 4th Sept^r 1804 to Jacob McKay to hold from 29 Sept^r same year for 21 years on the 28th July 1817 the same lot was leased to David Holly to hold from the 23^d Sept^r 1825 for ninety-nine years Lot N^o 23 conception B was leased as above to Jacob McKay for 21 years from 29 Sept^r 1804.

By a memorandum taken from the minute book B fol. 25 of the College Council dated 23^d April 1830 it appears that "James Harr called & signed a relinquishment (which he left) for this lot in favor of the Hon^{ble} Lieut Col. Wells" I have not been able to discover what right James Harr had to this lot or whether Jacob M^cMay ever assigned his interest therein. It does not appear however that the Crown has granted a renewed lease to any one - on the 1st July 1819 James Harr John Harr & David Holly mortgaged this lot 23 Con^o B with 22 & 23 Con^o C to Joseph Holly for all the residue & remainder of ninety nine years to secure the payment of £530..0..0 this incumbrance was recorded in the Registry Office on the 17 January 1825 - and does not appear to have been discharged on the day of the date of this mortgage David Holly conveyed 22 Conception C & 23 Con^o C to John Harr & James Harr for all the remainder of the said term of ninety nine years; This last mentioned instrument was recorded on the 30th January 1821 on which day and previously to this registry was recorded a deed dated 23 June^y 1821 from John Harr & James Harr for the same 22 and 23 in Con^o C to the Hon^{ble} Joseph Wells for the remainder of the term granted by the Crown - subsequently on the 30 May 1830 the Hon^{ble} Col. Wells appears to have sold to Joseph Holly one rood & fourteen poles of lot 23 Con^o C for the residue & remainder of ninety nine years. Broken lot 24 in Con^o C and the south half of 24 in Conception B were granted in fee to Thomas Moseley deceased on the 27th March 1800.

On the 6th Nov^r 1804 it appears that Thomas Moseley metel^y mortgaged these lots with others to Thomas Schotfield to secure the payment of £1000..0..0 This mortgage is not discharged in the Registry Office. On the 10th June 1816 Thomas Moseley conveyed in fee to Joseph Holly and on the second of January 1828 Joseph Holly conveyed in fee to the Hon^{ble} Joseph Wells.

I am informed that the fee of lots 23 Con^o C & B is in the University of King's College; if such be the case, as the parties interested have enjoyed upwards of 20 years uninter-rupted possession I see no difficulty in the way of the arrangement proposed by Mr Gamble should the Council think proper to

concur in it. The Mortgage to Holly having as I am informed by Mr George Wells been paid - and that to Scholfield (now in the hands of Alexander Wood Esq) being about to be discharged.

Should the Council deem it advisable to adopt the arrangement proposed I would recommend that the collateral securities offered should be transferred and handed over to the College as the only beneficial result to the College of changing their security will be to make these securities available as they fall due.

Wm Boyl, Esq.

I have &c

Musar H.C.

(signed) Jas L. Small. Sol. H.C.

From

Toronto December 8th 1840 -

Messrs Mackay & Burns - Sir

We beg leave to enclose, the account of Mr Hagerman against King's College for services performed by that Gentleman, during the period in which he held the appointment of Solicitor to the Institution and was retained. Sir

Yours Obedient Servants -

Wm Mackay & Burns

Kings College

1837		In ar with G. F. Hagerman	
Sept. 26	"	Drawing a Special Mortgage	3-10--
	"	Memorial for	"-15--
1838	April 7	" Costs in the action of Gidd ^{ts} v. S. Cook	18-14-10
"	"	" d ^o " v. S. Ballard	8-10-6
"	"	" d ^o " v. S. Beattie	6-7--
"	"	Drawing a Release for Beattie to sign	9--0--
"	"	Attend ^d with it to the Township of Seymour & Paid	
"	"	Drawing a Release of Power	5-10--
"	"	Attend ^d execution in Seymour & Paid	
1839	March 13	" Costs in the suit Powell et al. vs Priestman	32-9-0
June 1	"	" Drawing a Bond for Mr Buffy & his Trustees	2-10--
Aug th	"	" Drawing bond from the Messrs. Tidout to the College	2-10--
"	"	" Opinion on the subject of paying rates & taxes Attend ^d at the Mayor's Office &c	5-5--

College
to do with C. A. Hagerman

Octob^r 5 Drawing up 4 Deeds & Memorials
from Mr. Barber to the College } 7-9-"
" Amount paid for Registry --- 1-16-3.
Nov^r " Drawing a Bond for 2 Days and sweets 2-10-"
1840
Febr^y 9 " Drawing a special mortgage from
the Hon^{ble} Col Wells to the College } 15-15-"
Examining titles, Attendance &c
" 3 Memorials for ditto --- 4-10-"
" 14th " Opinion in re Wilson --- 1-5-"
£130-8-3

From
Messrs G. Ridout Esq
Cash B. U. C.

Bank of Upper Canada
Toronto 14th Dec^r 1840

Sir
Not having been able yet to complete
your order for the purchase of £1500 or 2000
in Government 6 per Cent Securities. I beg leave
to offer for the consideration of the Council, Law
Society bonds for £1500 bearing 6 per Cent Interest
per annum half yearly payable on the 1st of Jan^y
and 1st July and redeemable on the 1st of January
1846, These bonds are without doubt as good security
as the Province affords, and the interest thereon has
always been punctually met, indeed within the last
18 months the Society has paid off about £2000 -
of their debts and the Balance due is only £2300
which will be most probably discharged before
the Bonds mature I have the honor to be &c
Signed Messrs G Ridout

To
Messrs Harrison

Sir,
K. C. O. T. 15 Dec^r 1840

I have the honor to request you will inform His
Excellency the Lieutenant Governor, Chancellor of the University,
that in obedience to his commands I have summoned the Council
of King's College to meet at this office tomorrow at two o'clock.
I have do W. B. Registrar, K. C.

To
Messrs Harrison

Memo^m 17th Dec^r 1840. Transmitted to Messrs Harrison
to be submitted for the information of His Excellency the
Chancellor, the Minutes of the Council held yesterday.

To
The President of the
Presb. M. C.

Kings College Office Toronto

10 December 1840 -

I have submitted your letter of the 14th Instant to the Council of Kings College and am directed to inform you that they prefer making their investments in Provincial Securities. I have therefore to request you will continue your endeavours to procure for the College Provincial Securities to the amount of £1000 or £1500.

I have the honor to be &c -
Signed H. Boys.

To
James E. Small Esq.
F. G. Wadsworth Esq.
Secy to the University
C. & W. Wadsworth of Stobieska.

Mem^o 10th Dec^r 1840. sent to him the 7th Minute of Council held on 16th Feb^r relating to the proposal of Mess^{rs} C. & W. Wadsworth of Stobieska.

From
His Excellency the
Chancellor of the
University

Minute for the consideration of the Council of
Kings College -

The Chancellor regretting much that it is not in his power to attend the meeting of the Council held this day, begs to call their attention to a communication made by him some months since upon the subject of an increase of salary to the Bursar, and to request that the propriety of making an addition to the salary at present allowed to that officer may be made the subject of consideration.

When the gentleman now holding the situation was first appointed it was intimated to him, by the Chancellor that, if the duties of the office were efficiently & satisfactorily performed a recommendation of an increase of salary would be submitted to the Council.

The Chancellor considering as well the arduous duties of the office and the responsibility attached to it as the manner in which those duties have been performed by the present incumbent since his appointment and the zeal and assiduity which he has displayed on all occasions for the interests of the institution, thinks it right to state that in his opinion it would be prop-

to make an addition to the salary at present received by him.

Under these circumstances the Chancellor strongly recommends the propriety of making such addition as the Council may deem advisable.

To

Kings College Office Toronto

31 December 1840 -

Wm E Small Esq

Sir

Solicitor to the University

I have the honor to enclose you two extracts from the minutes of the proceedings of the Council of Kings College at their meeting held on the 5th day of August last & 14th day of October last relating to depredations on the timber on the College lands.

I also enclose you two letters from Mr. ~~W. H. H. H.~~ dated respectively 14th Sept & 16th Nov last containing the information which will enable you to act on the minutes.

I also enclose you a letter dated the 13th November last from Mr. Enoch Willson who complains of similar depredations on the North half of Lot 24 in 3rd Concession of Yarmouth and have to request that you will take the necessary steps to compel the parties pointed out by Mr. Willson to discontinue their unlawful proceedings.

I have the honor &c -

(Signed) H. Boys.

To

Kings College Office Toronto

23 December 1840 -

Wm E Small Esq

Sir

Solicitor to the University

I enclose you a schedule of property offered by the Hon^{ble} Col Wells late Bursar to this Institution in security for his liabilities to the College and have to request you will apply to Mr George Wells who acts for his father for the Deeds that are legally required in these cases to complete the security. When you find the documents correct and sufficient they can be delivered over to me, The schedule contains only the property mentioned in a schedule delivered

in by the Colonel; but the minutes of the College Council made on the 11th July 1839 when this business was arranged, show that other property was also to be assigned. The minutes I allude to are as follows -

No 4 That the securities offered by the Bank are to be assigned to the Corporation in way of Mortgage.

No 5 Also the House and lands at Waverport and other real estate -

Probably Mr Wells will be prepared to give you the assignments of this other property but should there be any difficulty in the matter you had better report the nature of it to me to be submitted to the Council -

Believe the first article in the Schedule viz. Mrs's Mills is the property referred to in Mr Gables proposals on behalf of the Messrs Wadsworth of Ealingham if so that case will require some different treatment from the rest, but of this you will be the best judge.

I have the honor to be &c
(signed) H Bays -

Dear Sir
Jas P Small Esq

Sir

Toronto 2nd December 1840 -

I have the honor to inform you with reference to your note of the 19th Ult^o enclosing copy of a letter to Messrs Stachan and Barras requesting them by direction of the Board to hand over to me the papers in the suit of the Kings College against Sir Allen Napier M^{rs} on notes endorsed by the Lord Bishop of Toronto that nothing has as yet been done by those Gentlemen notwithstanding I have requested them to comply with the direction of the Council -

(signed) Jas P Small -

To

Sir,

H. C. O. 29th Dec^r 1840.

Mr B. Harrison, Esq.

Pres^t Sec^y &c.

I beg to state to you for the information of His Ex^{ty} the Lieut Gov^r Chancellor of the University, that the Council of Kings College is summoned to meet tomorrow at two o'clock, it being the last Wednesday in the month.

I have &c H B Bays Sec^y H. C.

26

J. G. Ridout Esq^r
Clerk. B. U. C.

Sir,

Kings College Office Toronto.
2nd January 1841.

I request you will receive into the Custody and management of the Bank of Upper Canada, the three enclosed provincial Debentures corresponding with the following description,

No 342 - Welland Canal dated 18th July 1834 for £ 500 - - -

No 448 - Hamilton & Brantford road 2nd Sept 1840 - " 1000 - - -

No 450 - War losses dated 29th Dec 1840 - for 50 - - -

£ 1550 - - -

Amounting together to one thousand five hundred and fifty pounds and for them I request the usual official acknowledgement -

I beg to point out that the two first mentioned of the Debentures bear Interest at 6th Cent Per Annum, the last at 5th Cent -

I have the honor to be

Sir

Yours Obt Serv^t &c
(Signed) H. Boys.

Jas E Small Esq^r

Solicitor to the University Sir,

Kings College Office Toronto.
5th January 1841

Yesterday Mr Patterson the Solicitor put into my hands a writ of which the enclosed is a copy, against the Chancellor President and Scholars of Kings College. I should be glad if you could make it convenient to call at this office to day or tomorrow that I might put you in possession of all the circumstances of the case intricate as it is, and enable you to decide on the course to be pursued.

I have the honor &c -

(Signed) H. Boys -

Upper Canada

In Chancery.

Victoria by the grace of God of the united Kingdom of Great Britain and Ireland Queen Defender of the faith To the Chancellor President and Scholars of Kings College at York in the Province of Upper Canada

154
greeting, we command you that you personally
appear before our Vice Chancellor at the City of
Toronto within Eight days after the service of this
writ upon you, exclusive of the day of such service
to answer to a bill of Complaint exhibited against
you in our said Court by John Stewart, and
to do further and receive what our said Court
shall have considered in that behalf and this
you are not to omit, upon pain of an attachment
issuing against your person. And such other
processes for Contempt as our said Court shall award.

Witness the Honorable Robert S. Jameson
Vice Chancellor of our said Province
this Thirty first day of December
1840 in the fourth year of our reign

H. R. Patterson - Toronto
Plaintiffs Solicitor

William Hepburn
Registrar

To the Chancellor President and Scholars of Kings
College at York in the Province of Upper Canada

You are served with this process to the
intent that you may by your solicitor appear
in his Majesty's Court of Chancery at the City of
Toronto within eight days after the service of this
writ upon you exclusive of the day of such service
and to answer to a Bill of Complaint filed against
you in that Court by John Stewart for a specific
performance of an agreement as therein is mentioned
and for other relief, and you will take notice that
unless such appearance as above mentioned shall be
entered, an appearance will be entered for you and
if you do not answer the said Complaints
Bill at or before the expiration of twenty eight
days from and exclusive of the day on which such
appearance shall be entered for you, you will be
considered as confessing the truth of the matters
alleged in the said Bill of Complaint, and a decree
will be made and enforced against you.

(Signed) H. R. Patterson Toronto
Solicitor for the Plaintiff

From

Boboway Nov - 1840.

W. Falkner, Esquire.

Sir,

I do myself the honor of calling your attention to the subject matter of the accompanying enclosures with a request that you will be pleased to submit them to the consideration of the Honorable Board of the College Council at its next evening sitting.

I have the honor to be &
Sincerely W. Falkner.

Memorial enclosed
with the above.

To the Honorable Upper Canada College Council.

It is with much reluctance that I find myself constrained to apply to your Honorable Board under the following circumstances.

Having some years since purchased for the establishment of my family Lots 10-11 and 13, in the 8th Concession of Hamilton all of that description of those Oak lands called Plains. I found it further necessary in order to make them available, to become possessed of the adjoining Backland Tracts upon the River Lake containing by Estimation 300 acres or more abounding with wood, and having access to the water I accordingly sought out and obtained by purchase and otherwise, the interests of the individuals who had Claims upon them as will be seen by referring to the Papers Nos 10 & 11 were procured from Mr. Becker and Nos 12 and 13 from Captain Pillsbury.

The subject was mentioned to Mr. P. Matland by my friend Capt. Basil Hall who had heard me cursorily detail my views - This produced an interview with His Excellency, when I considered the affair satisfactorily arranged, but when reference to the Council for full sanction some little time afterwards, it unfortunately turned out that the lots in question were claimed by the College by virtue of a Dispatch just then received.

Much chagrined and not liking further to trouble His Excellency I remained upon the original tenure, but the Back Country beginning much

valued to settle and steam boats being placed upon the Erie Lake, as I was then possessed of a good income with every prospect of being enabled to pay instalments regularly, the interests and future support of an increasing family demand the confirmation of the tenure by purchase.

The terms for the College Lands were at that time 20/- per acre though I had given but five shillings for those acquired. Unforeseen circumstances out of the range of my own control reduced my means to bare support. The settling and consequently the business of the settlement of the Country came nearly every individual enterprise in that quarter has notoriously resulted in loss.

From this untoward combination of circumstances after making a payment of two instalments and some interest the remainder has fallen in arrears.

When these lands and those in immediate and necessary conjunction with them I have expended between two and three thousand pounds, and upon them the immediate support and future well being of my family mainly depends.

With reference to all these circumstances I have to intrude myself upon the notice of your Board, for its most favourable consideration whether I might be admitted as originally as Lessee and the sums already paid (£450) be accepted as Rent with the privilege of repurchase at convenience.

By this arrangement if agreed to, the interest of a numerous family, almost relying upon the Principal for support would be the least compromise and it would be conferring a great favor upon one who has not received directly or indirectly from the Crown any land for the settlement of his children as was generally the case with respect to respectable emigrants at the period of his coming to the Province but which he had flattered himself had been remedied by the expected intentions of Sir Peregrine Maitland.

This is most respectfully submitted for the consideration of your Honorable Board by Gentlemen. Yours obt^d Serv^t & signed W. Falkner.

- Inclosures to the preceding letter from W Falkner Esq
1. Note from Major Hillier to W Falkner dated 30 March 1827
 2. " " Captm Baird Hale " " 5 Aug^t 1827
 3. Letter from H L Boutwell Esq " " 2 April 1829.
 4. Quit Claim of Captm F. B. Spilshing of Broken Lots 12, 13 and 15 in the 9th Con of Hamilton in favor of W Falkner.
 5. Receipt dated 3rd Sept 1831 of Col Wells for 1st Instalment on Broken Lots 10, 11, 12 and 13 in 9th Con of Hamilton containing 300 ams & 20/- from W Falkner Esq
 6. Receipt for £45 dated 26 March 1825 of Col Wells from W Falkner Esq being 2nd Instalment with Interest on Lots 10, 11, 12 and 13 in the 9th Con of Hamilton.

From
 Geo. G. Ridoubt Esq
 Cash B. N. Canada.

Bank of Upper Canada
 Toronto 5th Jan^y 1841.

I beg to inform you that the Debiture 83342 which was lodged here by you for account of King's College on the 2nd Instant, is of the value of £500 - is in the body thereof written "one thousand pounds." And having reported the same to the Receiver General it is stated by him that the said Debiture has been erroneously filled up and that its true amount is only £500. as expressed in the figures thereon, and is desirous for leave to make the correction. I therefore request your permission for this purpose.

I am Sir &c
 Signed Geo. G. Ridoubt.

To
 Geo. G. Ridoubt Esq

King's College Office Toronto
 12th Jan^y 1841.

Sir,
 In reference to the error in the Debiture 83342 pointed out in your letter of the 5th Instant namely, that the words "one thousand pounds." have been written in the body thereof instead of £500. as there can be no doubt of the impropriety of leaving it as it now stands, I have to request that you will apply to the Receiver General to make the necessary correction.

I have the honor &c
 Signed H. B. Bays.

1841

Sir,

Toronto 11th January 1841.

Jas. P. Small Esq.

I have the honor of, herewith transmitting you my op against King's College Council to the 30th December 1840

I have the honor &c -

Signed Jas P Small.

The University of King's College -

In op with Jas P Small Solicitor

1840

From 10th of April to 31 December 1840 inclusive.

April	10 th	Taking instructions to examine into the title of Cha ^s Hill to Lot No 10 in 4 th Con Malahide and Consulting with him thereon	"	6	8
	"	Making Abstract of eight title deeds or assignments	"	10	"
	"	Making rough draft of opinion thereon	"	10	"
	"	" fair copy of same and transmitting do -	"	7	6
	"	See in opinion	"	1	3 4
June	15 th	Atty at College Council office at request of Bursar for information -	"	3	4
	17 th	Writing letter and transmitting same for further instructions relative to Covenants in Leases of Lots in Block D in Toronto. -	"	3	9
	"	Making rough draft of opinion upon the legality of investment of school monies in Govt Securities, overdue 12 folios -	"	12	"
	"	" fair copy of do transmitting same.	"	7	6
	"	Atty Receiver General's Office for information	"	3	4
	"	See in opinion	"	2	6 8
	16 th	Rough draft of letter and advice upon the subject of Leasing Lots in Toronto.	"	5	0
	"	" fair copy of do transmitting same	"	3	9
	26 th	Instructions for Covenants to be contained in Leases of Lots in Toronto	"	6	8
	"	Draft of Covenants 6 folios	"	8	0
	"	" fair copy of do transmitting same	"	5	3
July	7 th	Atty & Consulting Bursar upon the necessity of a power of Atty. to demand possession of Lots in Block D previous to action	"	3	4
	13 th	Leaving power of atty and attending with same	"	1	3 4
				9	9 5

1840		Amount brought forward -	9	9	5-
March	12	Letter of Opinion upon subject of surrender to the Crown examining documents &c &c -	"	11	0
October	22	" Attending College Office per request Consulting with and giving opinion to the Rursar on various subjects	"	11	0
	31	" Reviewing opinion of the Law Officers of Crown upon the subjects of the School Debentures and writing Opinion Copy &c &c -	1	3	4
	"	Attending Registrar Office and making eight searches upon the title of Col. Wells and Mr. Wadsworth to the Properties purchased by Mr. Gamble to be assigned to the College and making Abstract of title -	"	11	0
	"	paid for searches -	"	12	"
	"	Attending in same matter at Surveyor General's Office and Council Office, making searches obtaining information, and making abstract relative to title	"	11	0
	"	Attending at Crown Office to search for Indent	"	2	6
	"	Paid for searches and Certificates -	"	9	"
	"	Attending Mr. Geo. Wells on same subject and examining title deeds.	"	6	0
	"	Att ^d Mr. Gamble for further information upon same matter	"	3	4
	"	Att ^d College Council Office for information upon same subject -	"	3	4
	"	Reviewing titles and giving opinions -	1	3	4
	"	Drafting letter conveying opinion Mr. Wells	"	14	"
	"	Law Copy and Att ^d to forward same	"	4	0
	"	20 retainers in eight exchequer causes for possession of property in Block D at £2-10/- each -	20	"	"
	"	Instructions for Counsel to the Queen in pursuance of opinion of Crown Officers -	"	6	0
	"	Drafting do 14/2 1/2 1/2 -	"	14	6
	"	Law Copy of do -	"	5	10
	"	Engrossing same on Parchments.	"	11	0
	"	Attending Jas. Strachan Esq ^r to obtain a transfer of the Suit against Sir Allan MacK ^r by order of the Council -	"	3	4
	"	Writing to Rursar on same subject -	"	2	6
			29	10	4

1840

October 31	Retainer: Instructions and writing letter to Brockwell on subject of husband's estate lands	2	10	.
	Retainer: Instructions and writing letter to Birdsell on subject of husband's estate lands in Leguons and arising from actions	12	10	"
	Attending and consulting with Purser upon several occasions at his request.	1	3	4
		£ 55 - 9 - 1		

Toronto 31st Dec^r 1840.

Deed.

from — Articles of Agreement made and entered
 the University of King's College into this day of in the year of our
 to Lord one thousand eight hundred and forty - by and between
 the Queen our Sovereign Lady the Queen of the one part, and the
Chancellor President and Scholars of the University
of King's College of the other part. Whereas Her Majesty's
 Government have with the assent of the Chancellor President
 and scholars of the said University erected a Magnetic and
 Meteorological Observatory for scientific purposes upon
 certain Lands belonging to the said University and
 hereinafter more particularly described of which Observatory
 with the Lands tenements and premises hereinafter
 mentioned the said Chancellor President and Scholars
 of King's College are now seized in their demesne as of Fee
 And whereas in consideration of the Premises it hath
 been mutually agreed by and between the parties to
 these presents that her Majesty her heirs and successors
 shall and may by the Master General of her Ordnance
 or the Board of Ordnance for the time being or by any
 person or persons acting under the authority of such
 Master General or Board of Ordnance or by any other
 whom she or they shall or may appoint for that
 purpose from time to time and at all times hereafter
 when the reasonable demand thereof made of the said
 Chancellor President and scholars of the said University
 enter into and take possession of Have Hold —

use occupy possess and enjoy for the purposes aforesaid and for those purposes only, all and singular that certain piece or parcel of land and premises situate lying and being in the Township of York in the County of York in the Home District and Province of Upper Canada being part of the North half of Park Lot No thirteen in the first Concession from the Bay in the said Township of York and which said piece or parcel of Land is better and bounded or may be otherwise known as follows that is to say—
Commencing at a stake planted in the Western limit of said Lot No thirteen at the distance of fifty eight Chains on a Course North sixteen degrees West, from Lot Street more or less Thence North twenty four degrees East six Chains, then North sixteen degrees West four Chains, then South twenty four degrees West six Chains Thence South sixteen degrees East along the said Western limit of said Lot No thirteen four Chains to the place of beginning, Containing by admeasurement two acres and two fifths of an acre, with full power to erect any other buildings thereon for scientific purposes and from time to time to alter those already built as well as those hereafter to be built as occasion may be or require having regard always to the advancement of Science the object in view, with free ingress, egress and regress by a convenient way to be from time to time fixed and appointed by the said Chancellor President and Scholars of the said University into upon through and from the said premises and every part thereof Now therefore These Presents Witness that in consideration of the Premises and also of the sum of Five Shillings of lawful money of Upper Canada to the Treasurer of the said University in hand paid at and before the sealing and delivery hereof the receipt whereof is hereby acknowledged the said Chancellor President and Scholars of the University of Kings College aforesaid Have covenanted promised and agreed and by these presents do covenant promise and agree to and with her said Majesty her heirs and successors, that her said Majesty her heirs and successors shall and may by the Master general of her Ordnance, or the Board of Ordnance

for the time being, or by any person or persons acting under the Authority of such Master General or Board of Ordnance or by any other whom they shall or may appoint for that purpose from time to time and at all times hereafter upon the reasonable demand thereof made of the said Chancellor President and Scholars of the said University to be into and take possession of, Houses held use occupy, waste and enjoy for the purposes aforesaid and for those purposes only all and singular that contain, pertain or consist of Land and premises with the appurtenances being part of the South half of Black lot Number thirtie in the first Commission from the King in their ownership of York, and heretofore more particularly described with full power to erect any other buildings thereon for scientific purposes and from time to time to alter those already built as well as those hereafter to be built as occasion may be or require having regard always to the advancement of science the objects in view, And the said Chancellor President and Scholars of the said University do further Covenant promise and agree to and with his said Majesty his heirs and successors that his said Majesty his heirs and successors shall and may be the Master General of his Ordnance or the Board of Ordnance for the time being or by any person or persons acting under the Authority of such Master General or Board of Ordnance or by any other whom they or they may appoint from time to time and at all times hereafter with horses Carts and Carriages have free ingress egress and egress by a convenient way to be from time to time fixed and appointed by the said Chancellor President and Scholars of the said University into upon through and from the said premises and every part thereof Provided always nevertheless that in the Court of his said Majesty his heirs or successors, his officers or servants committing any waste or suffering or permit any waste by any person or persons in the said premises or neglecting to keep the said premises with the buildings now erected thereon and all such as shall be hereafter erected thereon in good and servicable repair during all such time as his said Majesty shall be held used and occupied by his said Majesty his heirs or successors for the purposes aforesaid. And if his said Majesty his heirs and successors

shall neglect or refuse to save harmless and keep indemnified the said Chancellor President and Scholars of the said University from and against all rates taxes and assessments for or in respect of the said premises now rated taxed or charged or hereafter to be levied rated taxed or assessed upon the said premises or if Her Majesty her heirs or successors shall at any time or times hereafter use or occupy the said premises for any other than the purposes aforesaid or when her said Majesty her heirs or successors shall cease to occupy the said land and premises for the purposes aforesaid. if Her Majesty her heirs or successors shall refuse or omit to deliver up quiet and peaceable possession to the said Chancellor President and Scholars of the said University of the said piece or parcel of Land with the buildings erected thereon and the appurtenances thereto belonging then and in either of such cases these presents and every clause matter and thing hereinbefore contained shall be utterly null and void to all intents and purposes whatsoever.

In Witness whereof the said Chancellor, President and Scholars of Kings College at Toronto aforesaid have hereunto affixed our Common Seal the day and year last above written

Signed Sealed and Delivered
in presence of —————

Kings College Office Toronto
14th January 1841.

Wm. Lidout Esq
Clerk: B. M. C.

Sir

I have to request you will receive into the Custody of the Bank of U.C. the two following Prov: Debentures amounting together to £104-5-0 receiving the interest on them as it becomes due and carrying the same to the Credit of the Council of Kings College viz

82nd 1st Rebellion Loans dated 1st Jan^y - 1839 - £133-0-0

" 18 " " " " " " £30-5-0
£163-5-0

both bearing interest at 6 per Cent per annum.

I request your acknowledgements of the receipt of these Debentures and have the honor to be Sir

Yours H. Boyd.

Toronto 14 January 1841.

Geo. R. Bidwell Esq
Joseph R. Bidwell Esq

Sir

It is our duty to hand you a Memorial to the Honble the Chancellor President and Scholars of King's College which we shall be obliged by your having early laid before the College Council.

We have the honor &c.

Yours
Geo R. Bidwell
Joseph R. Bidwell.

To the Honble the Chancellor President and Scholars of King's College -

The Memorial of G. R. and J. R. Bidwell.

That in the Month of August 1830 your Memorialist entered into a Bond to pay to the Council of King's College by annual instalments a certain sum of money with the verbal understanding however that it should not be brought to bear distressingly against them and that the circumstances (not in any respect within their control) that rendered the Bond necessary should not be made public.

On the first of August last the first payment became due at which time one of your Memorialists being absent from the Province, the residents one finding it was out of your Memorialists power to meet the payment, made a tender of the Interest that was at that time due, but to that tender no sufficient answer has been received. Your Memorialists beg therefore to bring the subjects of their agreement again before the consideration of your Honorable Body.

Your Memorialists by reason of events not contemplated when the obligation was assumed, find themselves utterly unable to meet the payment already due and see but little prospect of providing for those that in course of time will become so and they feel considerable alarm and concern thereby the more especially as they apprehend that circumstances may take place with them which will make the existence of such a Bond a serious injury to them in their business transactions which fact alone would make your Memorialists desirous of relieving themselves from the liability but the only way that occurs to them of their being able to do so.

by conveying to the College Council the undementioned Lots of Land.

Lot No 19 in the 5th con of Oro County - 200 acres -

W^{ts} 19 " " " " " " 100 --

8 part 18 " " 14 " " Brooke 200 --

E^{ts} 24 " " 4 " " Mono " 100 --

Much Lots your Memorialists know to be valuable and from their knowledge they possess of the terms upon which your Honorable Body dispose of Land of a similar quality. Your Memorialists are of the opinion that in a very short span of time the College Council would realize more from this land than the amount of the Bond and Interest, and in receiving it from your Memorialists in this manner your Honble Body would not only be saving the Debt but at the same time would relieve two Individuals from an engagement which under a state of things with them so different to what existed when the Bond was executed they have reason to fear if enforced or even suspended over them would operate most seriously to their disadvantage --

Your Memorialists would therefore most respectfully urge these matters - of so much importance to them - for the consideration of your Honorable Body and as in duty bound &c &c

Signed Geo. Fred Ridout.

Joseph D Ridout.

Toronto U.C.

14th January 1841.

Bank of Upper Canada

Toronto 18th January 1841

To
W. C. Horne Esq^r

I beg to acknowledge the receipt of your letter dated the 12th and 14th of this month covering certain Prov: Debentures amounting to nineteen hundred and nineteen pounds six shillings & six pence (£1919-5-6) for which I enclose you the usual certificates of Lodgement having charged the account of the Council of Kings College with £400-0-0 by being 4% agency charge on the full amount

I am Sir &c

Signed, W. C. Horne

For the Cashier -

certificates — This is to Certify that the Council of Kings College
enclosed in the has this day lodged in the Bank of Upper Canada by the
procuring letter. hands of Mr. Steves Boys, Bursar of Kings College certain
Provincial Libristures amounting to one thousand five
hundred and forty pounds. Subject to the order of the
Council of Kings College.

Debitum No 448. Hamilton & Brantford Road due 2^d Sep^r

1860 Interest @ 6% p ann. payable 1/2 yearly on 2nd March

Und 3^{tes} September ————— L 1000 -

L^v 342 Holland Canal due 18 July 1874 Interest

W B of San Ann. pay $\frac{46}{100}$ yearly on 18th Jan & 18th July - 500⁰⁰

No. 458. Harbors - den 29^{te} Oct^r 1860 Intimst.

25% ~~per~~ ann. pay $\frac{1}{2}$ yearly on 20th June & 20th Dec^r. 50-

L^o 1550 - a -

Bank of Upper Canada.

Toronto 2nd Jan 4 1841

Wm. P. Horne Miller

for the Cashier -

This is to Certify that the Council of Kings College has this day lodged in the Bank of Upper Canada by the hands of Dr Henry Boys Bursar of Kings College Certain Provincial Debentures below described amounting to one hundred and sixty nine pounds five Shillings Current Subject to the order of the Council of Kings College.

Lab No 14 Million Lbs due 1st June 1859 Interest

at 6% per ann. payable yearly on June 30th Dec 30th \$ 133 --

" 18- No. No.

A^s *A^o* 36-5-

L. 159-5-

Bank of Upper Canada

Toronto 14th Jan^y 1841

(Lyn.) R. C. Horne Ill

For the Cashier.

From J.B. Harrison Esq

Priv. Sec.

Government House

Sir,

21st Jan^y 1841

I have the honor by the Command of the Lieut. Governor to request that you will have the goodness to search among the Documents and Papers in the possession of King's College Council, for the purpose of ascertaining whether there is among them any Bond by W. Markland binding himself with or without security, duly to account for any monies which might come into his hands as Treasurer of the Board of Education, or anything to show whether he ever gave any such Bond, and if so where it is likely to be deposited -

I have the honor &c

Signed J.B. Harrison.

J.B. Harrison Esq

H.C.C. Toronto January 23rd 1841

Sir

In reply to your letter of the 21st Instant, I have the honor to inform you that having very lately at the request of the Hon^{ble} Mr. Macaulay searched through all the Papers in this Office for Documents relating to the School Land I can state that we have not in our possession any Bond from W. Markland as Treasurer of the Board of Education nor any Paper shewing that a Bond was ever given by him.

I have the honor &c

Signed J. Boys.

To

Messrs. G. Ridout Esq
Cashier Bank of U.C.

Sir,

H.C.C. Toronto

28th January 1841.

I have to request you will receive into the Custody of the Bank of Upper Canada the enclosed Provincial Debentures of £1000 (4-ving 8/44) for the Hamilton and Brantford Roads securing the interest thereon as it becomes due and carrying the same to the Credit of King's College.

I request your acknowledgment of the receipt of these Debentures, and have the honor to be

Sir

Yours most Obedt^{ly} Serv^t

Signed J. Boys.

From
Sol. Jos. Wells.

Savannah 26th January 1841~

Sir

I have the honor to request you will submit the following to the favorable consideration of the Council of King's College.

That Sol. Wells is most anxiously desirous to reduce his Debt to King's College at the earliest possible attainment of that object.

In the Schedule of Assets which he had formerly the honor of submitting to the College Council, he purposely placed in some instances a lower Appraisalment of the Securities for the sums which he had incautiously advanced than the actual Claim which he had upon those Securities and this minor value which was set upon them was intended as a precaution against the probable chance of some other of the Securities not eventually realizing the whole of the sum which could justly be claimed from them. — Sol Wells therefore entreats the College Council to authorize its Solicitor to select such of the Securities as he may deem amply sufficient to cover the amount of Sol Wells claim upon them and to submit the same to the Council and in the event of the latter concurring with the Opinion of their Solicitor — Sol Wells respectfully requests that the Council will accept an assignment of such approved Securities, and authorize the Treasurer to give to Sol Wells a receipt for the whole amount covered by the same, as a part payment of his Debt to the College he being of course liable to the Charge of Interest upon the Debt due by him on the 1st July 1831 from that period minus the sums since paid in on account of that Debt and the diminution of Interest consequent thereon.

When it is considered how miserably Sol Wells was remunerated for his arduous and responsible duties as Treasurer for the first 5 years of his holding that situation (having for that period only \$150 per annum and part of which time his very Clerk was allowed the like salary) Sol Wells cannot but hope that the Council will acknowledge that he has a reasonable claim for very indulgence, which can with propriety be granted as to the mode of clearing off the Debt to the College which he has so imprudently and (he will further

acknowledges) unjustifiably incurred.

Renewing my request that you will submit the foregoing to the favorable consideration of the Council of King's College.

I have the honor to be &c
(signed) Jas. Wells.

To

Sir,

K. C. O. T. 1st Feb^r 1841.

B. Harrison Esq^r
Private Secretary

I have the honor to enclose you the minutes of the proceedings of the Council of King's College at their meeting held on the 30th Ult^o, for the purpose of their being submitted for the information of His Excellency the Lieutenant Governor, Chancellor of the University.

I have &c
(signed) H. Boys Registrar, K. C.

To

Sir

K. C. O. Toronto 2nd Feb^r 1841

B. Harrison Esq^r
Private Sec^y

I beg to state to you for the information of His Excellency the Lieut Governor Chancellor of the University, that pursuant to adjournment the Council of King's College will meet at this Office tomorrow at two o'clock; when it is proposed to take into consideration the extent to which it may be expedient to alienate the College property by sale of the Lands of the Endowment, and also to consider the mode of carrying into effect the Regulations for District Grammar-Schools of which regulations, I have the honor to enclose a printed Copy --

I have the honor to be &c
(signed) H. Boys.

To

Sir

K. C. O. Toronto 3rd Feb^r 1841

W. E. Small Esq^r

Mr Sheriff Jarvis having entered into an arrangement with this Office respecting Lots Nos 7 and 8 on the South side of Richmond Street in Block D of this City, I request you will stay all further legal proceedings against him on his payment of the Costs.

I have the honor &c
(signed) H. Boys.

The
Petition of
M^{rs} Mary Bergin.

Toronto, Decr 12th 1840.

to the Hon^{ble} and Right Hon^{ble} the Lord Bishop of Toronto

My Lord,

In consequence of the Death of my Husband
I am barely left a support for my self and three Children
without any means to Educate them the only Property we
had having an annual Income, will be involved for
some time to come between a Mortgage and two instalments
of the purchase money that are yet unpaid. We have
some wild lands but they are useless to us, as there cannot
be any sale made of them or title given before the youngest
Child who is six years old, becomes of age.

Therefore my Lord I have been induced to solicit your
influence to have my two sons or either of them sent to
Upper Canada College free of expense the Eldest is 14 years
of age was six years at College and three quarters in the
Sixth form, my second son is twelve years old was in the
second form and four years at College - when I withdrew them
for want of means to continue them there. The Eldest is too
young to study a Profession and his size is so much
against him that I cannot procure a situation for him in a
House of Business.

I hope your Lordships will take into your kind consideration
the large sum it cost to send them there so many years. I have
paid all that was due at the time of their Fathers Death and
since a sum of eighty pounds.

As I intend returning to my friends through the ensuing
Summer if I could have them continued at College until I wd
be prepared to leave Toronto, they wd be ready through
the seventh form. If not they would forget what they have
learned and get into idle habits of every kind.

My Lord I hope you will pardon the liberty I have
taken in trespassing upon your Lordship with this brief
statement of my present situation & how I am circumstanced
with regard to the education of my children. If your Lordship
in your usual kindness will be so good as to use your influence
in behalf of my children be assured my Lord it will always
be remembered by me with the greatest Gratitude & Thankfulness.

and when I am no more, I hope my children will live to bless
so beneficent a benefactor.

I have the honor to be my Lord with the greatest respect
Yr Lordships most

Obedient Humble servant

Toronto December 12th 1840 -

Leford May Berquin

The Memorial of
Mr John G Howard

to the Honorable Council of U C College
Assembled -

The Memorial of John G Howard
Humbly Sheweth

That your Memorialist has been engaged
as Geometrical Drawing Master at U.C. College for the
last eight years and has been enabled to perform the
duties at a very low salary in consequence of his professional
services as an architect having been required in this
City and suburbs -

Your Memorialist begs most respectfully
to represent that the remuneration he receives is inadequate
owing to the little demand for the services of an architect
in this City at present, and the impossibility of his leaving
to visit the new Districts to superintend works. Likewise
his inability for the same reason to follow the profession
of Land Surveyor.

Your Memorialist therefore in consideration
of the arduous duties he has to perform (there having been
a great increase in the number of Pupils in his department
since he commenced) humbly prays for an increase
of salary.

And your Memorialist as in duty
bound with ever pray.

From

Sir,

York House 2nd Feb^r 1841

James Hopkirk Esq

bringing the following
petition of Mrs Wether

I have the honor by command of the Lieut Governor
to transmit you the accompanying Memorial from Mrs Wether
widow of the late Capt^l Wether; requesting that His Excellency
would recommend that her son should be placed as an
Alumnus on the Establishment of Upper Canada College and
I am to request that you will have the goodness to bring.

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the subject under the notice of the Council of Kings College
and I am at the same time to request you will acquaint
them, that His Excellency recommends Mr Usher's application
to their most favorable consideration -

I have the honor to be &c -

signed James Hopton

Petition of
M^{rs} Sarah Usher.
enclosed in the
preceding letter.

To His Excellency Sir George Arthur, Lieut. Governor
of Upper Canada and Major General Commanding Her
Majesties forces therein -

May it please your Excellency
The Memorial of Sarah Usher
Humbly Sheweth

That your Memorialist is the Widow
of the late Captain Usher who fell by the hand of the midnight
Assassin in consequence of his Loyalty and the exertions he
made to serve his Country during the Siege of Navy Island
and subsequent disturbances on the Niagara Frontier.

That your Mem^t was by that dreadful event
left destitute with four infant children, one son and three
daughters - Your Memorialist has however been rescued from
utter destitution, by a Grateful Country through the exertions
of a generous Government, Your Memorialist is notwithstanding
under the necessity of stating the great difficulty if not utter
impossibility of educating and in every other way maintaining
a family of four children on such limited means, together
with the painful certainty that should it please God to
take the only parents left these four orphans, they would
be thrown on the World utterly destitute - It therefore
becomes the imperative duty of your Memorialist to look especially
to the timely education of these your Memorialist's Fatherless
Children, in order to fit them for supporting themselves
hereafter.

Your Memorialist therefore and for the
foregoing reasons Humbly prays Your Excellency will
be pleased take the situation of your Memorialist's orphan
boy into your consideration and recommend him to the Board of
Education and the College Council in order that he may be

placed on the establishment of Upper Canada College as an
 Alumnus, which will be the means of placing the invaluable
 blessing of a good education within his reach, which will
 otherwise in his case be perfectly unattainable

And your Memorialist will as in duty bound
 ever pray.

Yours truly Sarah Upsher.

Lot Street Toronto - 28th Jan^y 1841

From

Holland Landing 1 Feb^y 1841

W^m Tho^s Henderson
 Insp. of College Lands

Dear Sir,

In the name of Mr. Fry and myself I beg to
 enclose to you our reasons for laying before the Council
 of King's College our humble request that our services to
 the above Institution rendered during the summer of 1840 may
 be put on the same footing as it now is according to a
 minute of Council issued in November last -

My agreement with you was certainly
 positive and may be insisted on by the Council at Mr. Fry's
 day, that agreement was made by me under the impression
 that the services could have been rendered more
 easily than they actually were.

I beg the favor of your laying this with
 the enclosed before the Council at their first meeting
 and am Dear Sir

Your most humble and obliged
 signed W^m Henderson.

Petition enclosed
 in the above.

To the Hon^{ble} the Council of King's College Toronto
 Gentlemen -

From having heard that an order in
 Council was passed in November last increasing the allowance
 of persons engaged in inspecting the Lands of the
 above institution from 10/6 to £1 - - per day.

I am induced to lay the following statement
 in which I am joined by Henry Fry Esq^r - viz

That in an early part of the Spring of
 1840 I engaged with Dr. Boys to inspect certain
 Lands the property of the King's College for which I was
 to receive the allowance of 10/6 per day that I undertook

the above under the impression that the services could have been rendered more easily than they actually were.

That I found the services very arduous and did not find the allowance sufficient to remunerate me for leaving my family and business and which after paying expenses of Horse hire, left me almost without any profits for the services.

That the Council have now agreed to allow £1-0-0 per day since the above order in Council and which if necessary now, was equally so, at the time the above services were rendered.

That the Hon^{ble} the Legislative Council have allowed persons engaged in the same employment the above sum of £1-0-0.

I am joined in the above statement by Mr. Fox and have no doubt the Honorable Council will consider the case and allow us the same as is now for the future ^{the} remuneration.

I have the honor to be Gentlemen

Holland Landing
Feb^y. 1841

Yours most Obedt^{ly} Humbl^d
Wm Henderson.

Petition of
Robert Blewins

The Petition of Robt Blewins of the City of Toronto to the
Presidents and Scholars of Kings College
Respectfully Sheweth,

That your Petitioner some few weeks since applied to your Council to allow him time to pay up the amounts due on Lot 801 Church Street in this City, which your Council was pleased to do.

Your Petitioner also applied to have the amount in the accompanying Receipt allowed him but was informed by Mr. Boys that the amount could not be then allowed, who mentioned that the best course for your Petitioner to adopt was to Petition your Council.

That your Petitioner begs leave respectfully to submit the following facts for your consideration That the Receipt was given and the money paid to H. M. Moxley who was some time before the Auctioneer and Agent for the College and that the amount mentioned in said

receipt was bona fide paid to the said Henry M Mosley
by Mr Roddy who considered him still the agent of the College
as he had sold the Lot and as no notice appeared of the said
Mosley's Authority being revoked that your Petitioner bought
the same from the said Roddy and allowed him the
amount of the said receipt viz £17-2- being the first
instalment due on the Land - Your Petitioner therefore
humbly prays that your Council will be pleased to allow
him the amount of said receipt considering that the
money was duly paid to said Mosley in a manner
that would happen ordinarily in a transaction of the
kind to the Auctioneer who was the seller of the Land -
who stated the conditions of the sale and at the time of sale
received some payments, and your Petitioner will ever
pray &c &c. (Signed) Wm Blewins.

Toronto Jan 28th 1841 -

To
Mrs Bergin

Madam

Kings College Office Toronto
9 Feby 1841

The Lord Bishop of Toronto having
brought under the consideration of the Council
of Kings College your letter to him dated the 12th Dec^r
last I have the honor to enclose you the Minute
made thereon by the Council at their Meeting held on
the 30th Ult.

I have the honor &c -
(Signed) H. Boys.

To
Col Wells -

Sir,

Kings College Office Toronto
9 Feby 1841

In reference to your application to the
Council of Kings College dated the 26th Ult I have the
honor to enclose you a Minute of their proceedings
at their Meeting held on the 30th Ult -

I have the honor to be
Sir

Your O^bl Servant
(Signed) H. Boys.

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20
 J. C. Small Esq
 Solicitor to the University

Sir

King's College Office Toronto
 9th Feb 1841

I have the honor to enclose you a Minute
 of the proceedings of the Council of King's College at their
 Meeting held on the 30th Ult & with it the letter of St John
 Wells dated the 30th Ult to which the said Minute relates
 I have the honor &c
 Signed H. Boys.

20
 Messrs G. P. & J. C. P. P. P.

Gentlemen

King's College Office Toronto
 9th Feb 1841.

In reference to your Memorial
 dated the 14th Instant I have the honor to enclose you the
 Minute made thereon by the Council of King's College.
 The interest referred to in the Minute is
 payable on the 1st August of each year calculated to the
 1st August 1840 - it is £ 28-4-4
 I perceive through mistake the Bond is
 stated in the Minute to be your Brother's Bond, whereas
 it is a bond from yourselves.
 I have the honor &c
 Signed H. Boys.

20
 W. Falkner Esq

Sir

King's College Office Toronto
 9th February 1841.

I had not an opportunity of submitting your
 letter of 30th Inst to the Council of King's College till the
 30th Ult when they took it into consideration & acceded to
 your request as you will perceive by the enclosed
 extract from their proceedings.

Leases were granted for this land by the
 Crown in 1819 to Messrs Beattie and Spilsbury from whom
 you derive the property and as they never paid any rent
 the account with the property will stand as follows -

Due to the Crown -	7 years from 1819 to 1826 @ \$10½ = \$73½	} -	L. L. R. 23 - 13 - 6
1 year " 1826 " 1827 @ \$21 = \$21			
Due to the College -	6 years " 1827 " 1833 - @ \$21 = \$126	} -	86 - 12 - 6
4 " " 1833 " 1840 @ \$31½ = \$126½			
Deduct Cash received			110 - 5 - "
			75 - " - "
			<u>35 - 5 - "</u>

Leaving £35-5-0 due for the payment of which I have to request you will make some arrangement, The Lease expired last year and the renewed lease stands at \$42, \$52 1/2, and \$63-

I should also apprise you before the sale is cancelled that the Council have under consideration how far it may be expedient to alienate any more of the College property by sale of the Lands, and should they determine not to sell any more your expectation of purchasing at a future time might be disappointed Perhaps you will do me the favor to let me hear from you soon on this business -

I have the honor &c
signed H Boys.

To
J. G. Howard Esq

Sir,

Kings College Office Toronto
9th Feby 1841-

I have the honor to enclose you a Minute of the proceedings of the Council of Kings College in reference to your Memorial -

I have the honor &c
signed H Boys.

To
Rev^d Abner Gale

Sir

Kings College Office Toronto.
9th Feby 1841.

The following is the Minute made by the Council of Kings College at their Meeting on the 30th Mo on your letter of the 17th of December last -

"B - Read a letter from the Rev^d Abner Gale dated 17th of December last applying for the allowance of an Assistant Teacher for the Gore District Grammar School -"

"Deferred - the subject generally being under Consideration -"

I have the honor -
signed H Boys.

To
Wm E. Small Esq

Sir

K.C.O. Toronto 11th February 1841 -

I request you will have the goodness to suspend the suit against Isaac Moore for trespass on the W^o of Lot 24 in the 3rd Con of Yarmouth, he paying the Costs -

signed H Boys

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Sr B Harrison Esq
 Private Secretary

Sir,

Kings College Office Toronto

20th February - 1841

I have the honor to enclose to you a Minute of the Council of Kings College made at their meeting held on the 17th Instant, relative to the Memorial of Mr Wythe transmitted to me in your letter of the 2nd inst. I also return your enclosed the Memorial.

Signed H Boys

Sr B Harrison Esq
 Priv. Secy.

Sir,

K.C.C. Toronto

20th February 1841

I have the honor to enclose to you for the information of His Excellency the Deputy Governor, Chancellor of the University, the Minutes of the proceedings of the Council of Kings College at their meeting held pursuant to adjournment on Wednesday the 17th Feby 1841

I have the honor &c
 Signed H Boys.

Messrs Strachan & Burns.

Gentlemen

K.C.C. Toronto

22 Feby 1841

In reference to your letter of the 20th Inst respecting Mr Wasley's Case I beg to inform you that it shall be submitted to the Council of Kings College at their next meeting which will be summoned for Saturday next, In the mean time to enable you to see exactly how the case stands, I enclose you the minute made on this subject at the last meeting of the College Council.

I am Sir
 Signed H Boys.

From

Messrs Strachan & Burns

Sir

Toronto 20 Feby 1841

Some time since we handed several papers to Mr Henderson for the purpose of his obtaining a Lease from the College Council for a lot of land purchased at Sheriff's sale by Mr John Wasley.

Mr Henderson informs us that the Council acknowledge Mr Wasley's right to have the Lease made to him but hesitate to do so -

When we handed these papers to Mr Henderson we did so under the impression that the College Council had when Mr H formerly applied for such Lease directed that it must first be sold by the Sheriff and now having done so nothing more was required than the production of the Sheriff's Deed.

It is unnecessary of course for us to remind the Council that Mr Wasley is in Equity entitled to have said Lease made to him but we wish to bring to their notice that if Mr Wasley is compelled to adopt that course it must be attended with expenses, and we do not believe the Council would desire that Mr Wasley should pay a Bill of Costs for obtaining that which may be done so easily without it.

We trust you will bring this matter under the notice of the Council and that we shall have the pleasure of assuring our Client that he need not adopt a course causing him any further expenses than already incurred.

We are Sir &c
Signed Strachan & Burns.

Esq
J. B. Harrison Esq
Counsel

Sir

Kings College Office Toronto
22nd February 1841.

I have the honor to enclose the Minutes of the proceedings of the Council of Kings College at their meeting held on the 17th instant with copies of the documents to which the Minutes refers, which I have to request you will submit for the approval of His Excellency the Chancellor of the University.

I likewise enclose copies of the said documents to be retained in His Excellency's possession.

I have the honor to be
Signed H. Boys.

Esq
J. B. Harrison Esq

T. O. Toronto.
February 23rd 1841

~~the~~ letter similar to the above, enclosing the Minutes and documents dated 23rd Feb^r 1841

Mr. G. Ridout Esq.
Cashier B.C.C.

Bank of Upper Canada
Toronto 20th February 1841

I have to inform you that I have purchased for account of the Council of King's College a Provincial Subscription No 243 Roads & Bridges - £400 - a - a by interest on do from 11th Jan^y to 19th February 4-9-9
Ums 1/4 on the amount of Dec^r - 1-15-"

The amount of this purchase being £400-4-9 by which the Council of King's College was putted as charged in Account.

I enclose you the usual certificate of lodgement - I am &c

Signed Mos G. Ridout.

Cashier

Mr. G. Ridout Esq.
Sir

B.C.C. Toronto

22nd February 1841

I beg to acknowledge the receipt of your letter of the 20th instant informing me that you have purchased for the College Prov: Deb: No 243 for Roads & Bridges amounting to £400 and I have to request you will make a further purchase for the College of Prov: Deb: to the amount of £ or £5000 -

I have the honor to be &c
H. Boys.

From
Messrs. Buchan & Burns.

Sir

Toronto 24th Feb^y 1841

We are much obliged to you for transmitting to us a copy of the minutes in Council in relation to Mr. Wesley's case -

We were not aware, when we wrote on the 20th instant that anything had been done by the Council or we should have placed the matter in such a point of view as there would have been no occasion to write again -

The Council is quite right in disposing of Mr. Wesley's claim in the way mentioned ^{it was to be considered} in a legal point of view. We are aware that the defendant had no legal title which the Sheriff could sell but he

had a recognized Equitable title to a renewal of the Lease -

When the defendant applied for such renewal and the same was recognized it was discovered that Mr Wasley who had been the owner and to whom the defendant agreed to pay the consideration for the Lease had never been paid his purchase money, and in fact a manifest fraud appeared to have been attempted upon him by pasting brown paper over the evidence of such agreement of the defendant contained on the back of the papers upon which he was founding his claim for such renewal - Mr Wasley brought an action for the purchase money and to make this fraud manifest the instrument was produced in Court, and Mr Wasley recovered a Judgment for his money. Upon this judgment the Defendant's right such as it was, was disposed of and Mr Wasley became the Purchaser.

A more Equitable Claim could not present itself, Mr Wasley by now obtaining a Lease is only placed in the situation he was before parting with property, he received no consideration and now would obtain the Land again to satisfy his judgment.

An ordinary Creditor would have a Claim in Equity after pursuing his remedy at Law and failing to obtain satisfaction, but Mr Wasley in addition to such right Claims it on the ground of having a lien in Equity upon the renewal Lease for his purchase money and as being the only remedy he has -

This property is all that could be obtained upon the Execution and we directed the sale of it & the production of a Sheriff's Deed to Mr Wasley in order the Council might be convinced Mr Wasley had every right which could be obtained, legal if the defendant had any legal title and equitable as then seeking to procure satisfaction for his purchase money.

We trust the explanation now given with what is contained in our former letter will

From
Shackan & Burns,
Solicitors

remove any objection the Council may entertain
to Mr Wesley's Claim -

Your Obed Servants -
Signed / Shackan & Burns.

To

Sir,

H. C. O. T. 27 Feb 1841.

J. S. Small, Esq.,
Col. to the University

see Mr Small's letter of
14 March 1842 p. 283

I beg to enclose to you a correspondence between
the Law Society & this Corporation respecting a right of
way, claimed by the former in the College Avenue - and
am directed to request that you will prepare a recognition
to be submitted to the College Council for their approval.

I have the

H. B. Burrar, H. C.

wrote to Mr Small to
return these documents -
16 March 1842.

List of the enclosed documents - to be returned to the Burrar.

N° 1. a letter from Dr Baldwin to Col. Wells dated 27 Aug. 1833
with an enclosure of the same date.

N° 2. a letter from Dr Baldwin to the President without date, with
an enclosure dated 27 Aug. 1833.

N° 3. a letter from Mr Cawdell to Col. Wells dated 28 Apr. 1834
with an enclosure.

N° 4. a letter from Chief Justice Robinson to Col. Wells dated
30th April 1834.

N° 5. a letter from Mr Cameron to the Burrar, dated 17 Aug. 1840.

From

James Hopkirk Esq

Sir,

Government House

1st March 1841

I have the honor to acknowledge the receipt
of your letter of the 23rd Ullr addressed to Mr Hanson
enclosing for the approval of Sir George Arthur a
minute of King's College Council relative to exhibitions
in Upper Canada College which I have laid before
his Excellency and I now transmit you the documents
therein enclosed approved by him.

I have the honor to be

Sir

Your most Obed Servant
Signed / James Hopkirk.

To

James Hopkirk Esq.

Sir

Government House Toronto

4th March 1841-

I have the honor to acknowledge the receipt of your letter of the 22nd Ult^o addressed to Mr. Harison, which I have laid before Sir George Arthur, and I now return you the Rules & Regulations relative to District Grammar Schools, approved of by His Excellency -

I have the honor to be &c
Signed James Hopkirk.

From

Thos G. Ridout.

Sir

Bank of Upper Canada

Toronto 6th March 1841-

Having ^{proving} no objection of the amount of £500 -
£600 - £ as stated in your letter of the 22nd Ult^o at the disposal of the Bank, I have purchased for the Council of Kings College Desjardins Canal Debentures 8th £1000 - £ which I have charged to that account as under and now enclose you the usual Certificate of Lodgement.

8th Desjardins Canal --- £1000 -

Interest on 8th from 10th Jan^y to 4th instant inclusive - 7-11-3

Agency 14th on the Transfer £2-10-
£1010-1-3

I am Sir &c

Signed Thos G. Ridout.

To

Thos G. Ridout Esq.

Sir

Kings College Office Toronto

20 March 1841-

I have to request you will receive into the custody of the Bank of Upper Canada the enclosed two provincial Debentures of which the following are the particulars -

8th 449 War Office dated the 29th December 1840 bearing interest at 5th cent per annum payable on 24th June and 24th December being for £100 £y

8th 451 - War Office dated 29th December 1840 bearing interest at 5th cent per annum payable on the 24th June and 24th December being for £50

I request your acknowledgement of the receipt of these

Two Subscribers and to have the honor to be

Sir

Your Obedt^t Humbl^t Serv^t
signed H. Boys

Bank of Upper Canada

Toronto 27th March 1841

Sir

I beg to acknowledge the receipt of your letter dated the 20th Inst covering Warlocks Subscriptions \$449. L 100 nearly and 457. 50-⁰⁰ which I have duly entered in the account of the Council of King's College, having charged the deposit account of the Council with the sum of seven Shilling and six pence 6^d. being one quarter per cent vacancy on the amount.

I send you herewith the usual Certificate of Lodgement

I am Sir &c.

signed Thos G. Ridout.

Cashier

Toronto

Toronto 5th March 1841

Thos G. Ridout Esq.

Sir

Amongst the securities held by the College, or the Balance due from the late Bursar Colonel Wells I am given to understand is comprised the interest of Mr Patrick and myself in a tract of Land in the neighbourhood of Brantford on the Grand River.

I was originally a lessee of these lands for the term of 28 years and somewhere in the early part of the year 1837 I contracted with the Crown to become the purchaser thereof at the price of 25⁰⁰ per acre amounting to the sum of £1581. 5-0.

The fulfilment of this contract was made by Mr Patrick who had become jointly indebted with myself and myself to secure a debt due from me to Col Wells of £1000 and which debt and security is the one I have referred to as now vested or offered to be vested in the College in part of the Balance due from that Gentleman.

Read in Council 10 Feb 41
L.C. 1. 10. C. M. B. p. 267

The original of the letter to the
Bursar of the University sent
to the Secretary on 17 April 1841
see this letter p. 109.

From
Robert J. Turner.

Circumstances arising from the disorganized state of the Finances of the County and the unfortunate breaking out of the Rebellion - prevented Mr. Patrick and myself from raising sufficient means to take out the patent and we have hitherto been unable to do so.

In order to bring the matter to a close in a manner that shall be satisfactory to all interested in it and to satisfy the debt due to Col. Wells and thus redeem pro tanto his engagement to the College - I would take the liberty of proposing that it should be referred to your Solicitor to consider and report to the Council what measures can be taken to tender the property available to the satisfaction of our debt to Col. Wells and by which the Interest of all parties may be adjusted. I have the honor &c
Signed) Robert J. Turner.

To
J. G. Ridout Esq. Sir,

King's College Office Toronto
7th April 1841-

I have to request you will receive into the Bank of Upper Canada for safe Custody and management the two enclosed Provincial Debentures - viz:

\$8°446	Hamilton & Brantford road	for £1000-
\$8°449	do do	430-
		£1430-

I must trouble you for separate receipts for these Debentures as the former for £1000- belongs to the Grammar School funds. which circumstance I will thank you to express in the receipt. I have the honor
Signed) H. Baye.

Y^r
Dear Sir
The V. G. Ridout Esq.

Bank of Upper Canada
Monte 10th April 1841.

In conformity with your letter of the 4th inst. and Concerning two Provincial Subventions for Lodgements on accounts of the Council of Kings College for Grammar & Schools and the Council of Kings College.

£ 446 Hamilton & Brantford Road £ 1000 - - -

449 - - - - - 430 - - -
£ 1430 - - -

I send you separate Certificates of Lodgements for these Subventions having duly entered them to their several accounts.

I have charged to the Agency on the above entries in the sums of £ 2 - - - - - and £ 1 - - - - - to the respective accounts of the Council of Kings College for Grammar Schools and the Council of Kings College -

I am Sir, &c.

Yours faithfully
The V. G. Ridout
Cashier B.U.C.

From

Sir,

Monte 25th Feb^r 1841.

Mr Henry Hawkins

My present condition compels me to address you upon the subject of my salary and respectfully to request that you will represent this matter for the favorable consideration of the College Council.

I believe I am warranted in saying that my salary is less than that of any of the junior clerks in the Government offices, and when it is considered that the duties which I have performed since the removal of the late Bursar have been so important, I think, to entitle me to expect a higher salary than that given to a junior clerk.

I further do take the liberty of representing for the consideration of the Council - and I do so with the highest regard & esteem for the gentleman who holds the situation - that my salary is only equal with that of Mr Lockrane who has not been in the office more than 11 or 12 months.

I have spent a period of 8 years in the employment of the Council and, without wishing to make any comment upon my services I believe I can safely say that I have done my duty.

I further beg to state that during the Bursarship of Col. Wells I was offered a situation of £200 a year in the House of Assembly and relinquished it in consequence of the strong hopes of advancement held out to me by that gentleman and the permanence of an employment in this office to that of the House of Assembly.

In conclusion I beg to represent that I have a large family to support and a very delicate wife whose health is so impaired as to require almost the continual attendance of a Medical man which of itself involves a serious expenditure.

I trust Sir, you will take as early an opportunity as convenient to bring this subject before the Council as it is one of very immediate consequence to me.

You are aware that I have had a sick house for nearly 3 months which, together with other circumstances, induces me to repeat my request that the earliest opportunity may be taken to bring it under the consideration of the Council for their favorable consideration. — I have &c

To D Boys, Bursar, K.C. Signed: Henry Hawkins.

To
 Council Chamber, King's College, Toronto, 14 April, 1871.
 Sir, I beg to inform you that I have the honor to acknowledge the receipt of your letter of the 11th inst. in relation to the resolutions of the Council of the University of Toronto, and in reply to inform you that the same have been forwarded to the Council for their consideration.

The President and Council of the University of Toronto respectfully beg to inform you that the accompanying resolutions which were unanimously passed at the Council on the 11th day of April 1871 are now in the hands of the Council for their consideration. It is respectfully requested that you will be pleased to take them into your consideration.

Signed: John Evans
 President of the University of Toronto

To
 Sir
 K.C.B. 14 April, 1871.
 I have the honor to enclose to you an address to the Hon. Sir John Evans, the Governor General from the President and Council of King's College, with a copy of the resolutions to which it refers.
 I have &c. D. H. Stephens K.C.

to C. C. C. 16 April 1841.

I have the honor to acknowledge the receipt of the minutes

of the proceedings of the Council of King's College at the meeting

held on the 11th inst. for the purpose of their being submitted for the information of His Excellency the Governor, General, Chancellor of the University.

I have &c. W. L. Rogers, Esq.

to the Council of King's College 17 April 1841.

I have the honor to acknowledge the receipt of the minutes of the proceedings of the Council at their meeting on the 11th inst.

To the Hon. Secy. of the Board of Education, Sir,

April 1841 -

Your favor came to hand several days after its date and I have to tender most thanks to the Members of College Council Board for having taken into favorable consideration the circumstances under which I am myself placed.

It would appear that I had not so clearly defined my meaning as might have been done.

In wishing to revert to leasing I admitted to the lease which the Council decided upon granting me in 1829 - after taking into full consideration the peculiar disappointing circumstances detailed in the memorial alluded to in the letter to Mr Henry Bolton of which I transmit a copy.

The answer which I think I sent with the papers to the Council, offered a lease at 6 per annum for 21 years taking the 300 acres of Brook-front together, and it was manifestly the intention to comply with an expressed wish - from the part of Government by giving as favorable terms as possible.

Mr Bolton said in his letter as member of the board and as my friend that

be considered it fair to both sides, or words to that effect.

I purchased a claim upon 12 & 13 and Mr Baileu the clerk to the Executive Council gave me his, at the request of Sir Benjamin Matthews upon 10 & 11 - At no time was any back rent mentioned or due to the Crown nor did Mr Baileu's letter conveying the decision of the College Council speak of it or allude to it.

Having claimed upon 12 & 13 and its being connected with a Mill property upon which my family reside: Whatever may be the determination of the Council in respect to the continuing Sales, I most respectfully request that these Sales may be accepted, being always held in contemplation as an inheritance for my Children, and I must beg to suggest that under all the circumstances, a compliance with this wish cannot be construed into a precedent in other instances.

Should the Council not deem it right to do me the favor of resuming the sums decided upon in 1829 - Perhaps I might be permitted to surrender 10 & 11 and to consider 12-13 as a purchase with £15 paid thereon allowing the privilege of paying interest for the remainder until a convenient time for discharging the Principal.

I have the honor to be &c.
Signed. W. Walker.

To
at
R. C. S. D. 19 April 1841.
James D. Small Esq.
Col. to the Governor
ansd 2. 10 July.
see page 196.
I have the honor to enclose to you for your guidance the
10th Minute of the proceedings of the Council in being called at their
meeting held on the 10th inst. relating to a proposal of Mr. Baileu
to transfer property to the Council in lieu of his debt to the late Mr. Baileu.
I also enclose Mr. Baileu's letter of the 6th 1840 and a diagram of
the property. I have also the Register of the

170
 I have the honor to acknowledge the receipt of King's College's letter to me six years ago, enclosing a copy of a paper made out by the Hon. Daniel Gifford respecting the repurchase of land in the timber on the college lands in the district of Niagara. I have in the Hon. Gifford, &c.

W^h
 20
 Mr. Thomas B. Burns - Gentleman
 King's College Office Toronto
 23rd April 1841.

Having submitted to the Council of King's College at their meeting on the 14th instant your letter of the 24th of Feb^y last respecting the case of John Wasley the Council Consented that the new Lease for the Sth part of Lot No 20 in 4th Concession of Whitcomb should issue in Mr Wasley's name.

There is an Arrear of rent due to the College upon the Lot as follows
 To Balance of rent to the expiration of the original Lease 24th June 1839. £ 3 - 12 - 6
 " 2 years rent on the new lease to the 24th June 1841 at £ 3 - 5 - " Premium - $\frac{4 - 10 - 0}{17 - 3 - 0}$

On payment of which the lease shall be made out -
 I have the honor to be
 signed: J. H. W. Boyd -

W^h
 20
 Sir,
 The Council of King's College being
 The Hon. J. H. W. Boyd
 Having General and the Council of Affairs are assisted to
 the District Grammar Schools are desirous
 of ascertaining the utmost extent of the means
 that will be at their command and have directed
 me to enquire of you whether any further monies
 have come into your hands applicable to the
 Grammar School fund and if any that I
 should request of you to obtain the authority of
 His Excellency the Governor General that the
 same may be at once invested and given

and to the College Council.

I have the honor &c
Signed J. P. Bays.

To -
Jas C. Small Esq. Sir,

King's College Office Toronto
26th April 1841.

I suppose Mr Farr's Deed must be a special one and therefore request you will have the goodness to draw one up. The land was sold to James Farr on the 4th January 1833 for £200 with Interest from the 24th Dec^r 1832. It is the North part of Lot No 34 in the 2nd Concession from the Bay of the Township of York containing 100 acres more or less. The whole of the purchase money and Interest is paid up. You will probably require the will and probate which I enclose -

I have the honor &c
(Signed) J. P. Bays.

To -
Geo. Peter Ridout Esq. Sir

Toronto 27th April 1841

With this you will receive a Memorial that I shall feel obliged by your having brought before the consideration of the Hon^{ble} the members of the College Council at their next meeting.

I have the honor &c
Signed Geo. P. Ridout.

Petition of
Geo. P. Ridout -

To the Honorable the Chancellor
President and Scholars of King's College -
The Memorial of G. P. and
J. P. Ridout - Sheweth -

That on the 14th January last, Your Memorialists made an appeal to your Honorable Body to relieve from them certain lands in settlement of a Bond entered into in the Month of August 1839 - To this application your Memorialists have been favoured with the

following Extract of the proceedings thereupon
by the College Council.

3806 " A Memorial dated the 14th Instant
from Messrs G. P. and V. Ridout was read setting
forth the difficulties in which they find themselves
involved and praying the Council to accept 600 acres
of Land as partial payment in the Memorial in lieu
of their Brother's Debt to the College for £500 -
to which they are bound as securities -

Ordered that the final Consideration
of this Memorial be deferred and that the
Barrow apply to Messrs G. P. and V. Ridout
for the Valuation at present due upon the Bond
and that he take steps to ascertain the value of
the Land offered "

Your Memorialists do not
wish to be importunate but their uneasiness
at the Existence of the Bond is of so painful a
nature that they are induced to again bring
their application before the notice of Your Hon^{ble}
Body, referring you for the particulars of their
Case to the annexed Copy of their former Memorial

Your Memorialists beg to state
that they are fully sensible of the kindness
and indulgence manifested in the proceedings
of the College Council as concerned to them in the
 foregoing Extract, they trust however that
they may be permitted to state that the mere
existence of the Bond (even if it be only acted
upon in accordance with the spirit in which
it was entered into) will be most detrimental
to the Mercantile Interests of Your Memorialists
they therefore feel the most intense desire
to be relieved from the obligation and most
respectfully solicit that their application may
be again brought before the notice of the College
Council and that it may have the favorable
Consideration of Your Honorable Body

And as in duty bound

Your Memorialists will ever pray.

Signed, *Georgel Ridout*

Side Folio 104 -

Joseph D Ridout.

To

Kings College Office Toronto.

29th April 1841 -

Mr. H. Col Wells

Sir

Sampson.

It appears by a letter from you dated 24th January 1837 that Henry Smith of the front 1/2 of Lot 2 in 9th Concession Wolfe Island remitted to you £2-10/- being 15/- short and by another letter of yours dated the 4th of April 1833 that Enoch Harrington of No 1/2 of Lot 9 in 4th Con of Murray remitted to you £4 for which you have not shown Credit in any part of your Accounts -

The parties having claimed these Credits and having produced your letters acknowledging the receipt of the money which letters agree with the entry of them in your books I have been obliged to admit them and debit you with their amount open, however, to any explanation you may have to offer -

I have the honor to be
(Signed) H. Boys.

To

Sir

K. C. O. T. May 17th 1841 -

Mr. G. Ridout Esq.

Having agreed with Messrs Wilson to purchase of them two provincial debentures Nos 4 and 5 amounting together to £500 Currency which they sell to me at par and which Debentures are in the possession of the Bank of W. Canada - I request you will charge the account of the Council of Kings College with that amount together with the amount of annual interest, and that you will send me the usual receipts of having taken the Debentures into the Custody of the Bank on behalf of the Council of Kings College I have purchased them on the understanding that they bear 6 per Cent interest -

I am Sir -

(Signed) H. Boys.

From
Wm Bondfoot Esq Sir
President of B.M.C.

Bank of Upper Canada
Toronto 18th May 1841-

By authority of your letter
of yesterday's date I have this day purchased
from the Trustees of Mary Crawford and
Children 800 5/5 Navy Navigation Co Bonds
each £250 Cy. £500 -- --
The agreed interest thereon being 11-5-2 --
Agency 1/2 % on the Transfer. *2-10--

Amounting to £573-15-2.
With which the Council of Kings College is
charged in account.

Enclose you the usual
Certificate of Lodgement. I am &c

* Overcharged should be £1-5--
corrected in the Bank Books
(signed) H.B.--

Signed Wm Bondfoot

From
Thos G Ridout Esq Sir
Clerk B.M.C.

Bank of Upper Canada
Toronto 31st May 1841-

In conformity with your
instructions dated the 27th of Nov^r 1840 - I
purchased on the 29th Instant for account of
the Council of Kings College a Provincial Debenture
No 236 Roads & Bridges £1000 -- --
with the agreed Int. from Dec^r 16 to 28th May. 27-2-6
on the Transfer of which the Agency Charge is 1/4 % 2-10--
Amounting to £1029-12-6

Currenty charged to the account of the Council
of Kings College - I beg to enclose you the usual
Certificate of Lodgement

Signed Thos G Ridout.

To

Kings College Office Toronto
26 June 1841

Wm C Murdoch Esq Sir
Chief Secy to
his Excellency.

In compliance with the address
of the House of Assembly of U.C. to his Excellency
Sir George Arthur of the 29th of April 1841 I
have prepared and have now the honor of
transmitting to you in duplicate the following

Statements relative to the Affairs of Trinity College from the Period to which the similar statements transmitted to you in my letter of the 18th of December 1839 were closed to the 31st Dec^r 1840 - viz

- 1 A Statement of the Receipts and Disbursements of King's College from the 1st Dec^r 1839 to the 31st December 1840.
- 2 A Statement of the Receipts and Disbursements of W.C. College for the same period
- 3 A Statement of the Receipts and Disbursements of King's College from its foundation to the 31st of December 1840.
- 4 A Statement of the Receipts and Disbursements of W.C.C. for the same period.
- 5 A Statement showing the present Condition of the Land Endowment of the two Establishments.

I have the Honor B^{ty} to
Signed A. Boye.

To

Sir,

K.C.O. T. 29th June, 1841.

J. G. Ridout, Esq.
Clerk of the B.M.C.

I request you will purchase for this Corporation Provincial Debentures yielding 6 per cent interest, to the amount of from five to seven hundred pounds; and that you will charge the same to the account of the Council of King's College.

I have &c. H. B. Nassau, W.C.

From

Sir,

B.M.C. Toronto, 30th June 1841.

J. G. Ridout, Esq.
Clerk of the B.M.C.

In answer to your letter of yesterday's date I beg to inform you that the Bank has no Provincial Debentures bearing interest at 6 per cent for sums smaller than one thousand pounds currency at its disposal.

I am, Sir, &c.

I have &c.

From

Sir,

B.M.C. Toronto, 6 July 1841.

J. G. Ridout, Esq.

Under authority of your letter dated 29th Ult^o, I have this day purchased for the Council of King's College Provincial

Subscribed £1000 Roads & Bridges, £1000.00.00 by (signature)
the charges on which are as follows

£ 6. N° 240. Roads & Bridges	£ 1000.00.00
Int. from 11 Jan ^y , 6.00.00. 6.00.00, at 6%	29.3.7
Agency 1/4%	2.10.0
at debit of the Council of King's College.	<u>£ 1031.13.7</u>

Enclosure, for the usual certificate of lodgement.

D^r H. Boys & Co.

I am &c

J. G. Rivest, Clerk.

Copy of the enclosure.

This is to certify that the Council of King's College has this day lodged in the Bank of Upper Canada, by the hands of D^r Henry Boys, Bursar of King's College, for safe keeping and management, a Provincial Debenture N° 240, Roads & Bridges, one thousand pounds currency, dated the 11th July 1831, redeemable the 11th July 1851, interest at 6% per annum payable half yearly on the 11th January & the 11th July.

Bank of M. C. Toronto, 6th July, 1831.

Signed: J. G. Rivest, Clerk.

From

Sir,

Kingston, 10th July, 1831.

James S. Small Esq^r

I have the honor to inform you that I have given the Solicitor to the Univ^r best consideration to the minutes of the proceedings of the Council referred to in your letter of the 17th April last on the subject of the

proposal of Mr M. J. Furnes to transfer property to the Council in lieu of his debt to the late Bursar and to Mr Furnes's letter of the 6th March last upon which I have come to the following conclusion.

Wiz^d. That it would be to the interest of the College either to take the land at a price to be agreed upon or that the College should advance the necessary amount of money to the Crown and take out the Patent to itself - the land to be sold with the assent of Mr Furnes as purchaser could be obtained for it and the proceeds applied in payment of the debt due to the College as well for the money due from Mr Furnes to the late Bursar, as for the money advanced to the Crown for the Patent, and that after payment of the debt the balance should be paid over to Mr Furnes, or such land as should not be required to be sold for the above purposes, should be conveyed to him

a period being agreed upon by which the money should be paid.

I would also recommend that a memorial to the Crown should be presented by the College in order to obtain the grant of the land to themselves in which the circumstances of their claim upon it should be set forth so as to satisfy the Executive Council of the grounds upon which it arose

I have the honor to

W. B. S. Esq.

(signed) Jas. P. Small.

From
Messrs. Ridout Esq.

Sir

Bank of Upper Canada

Toronto 26th July 1841.

I have this day purchased on acc^t
of the Council of Kings College, Provincial Debtors
No 371 York Roads £400 - " " " " " " " " " " " "
The Charges on which are for
from the 14th May in 35 July 1835 @ 6% 4-14-8
Agency & 10/- 1- " " "

Amounting to £405-14-8
with which the Council of Kings College is
charged in account. I beg to inclose
you herewith the usual Certificate of
lodgement.

Signed Messrs. Ridout

Certificate enclosed.

— This is to Certify that the Council of
Kings College has this day lodged in the
Bank of Upper Canada for safe keeping
and management by the Hands of W^m Henry
Boye - Bureau Provincial Debtors No 371
York Roads, Four hundred pounds Currency
dated the 14th May 1835 redeemable on the
14th May 1865 Interest at the rate of 6 per Cent
per annum payable half yearly on the 14th
of May and the 14th November

Bank of Upper Canada

Toronto 26th July 1841.

Signed, Messrs. Ridout

Carlier

he expresses an anxious desire that certain properties named in his letter should be reviewed by the Council of Kings College in liquidation of a part of a debt remaining due by Col. Mills to the University and I shall feel extremely indebted by your having the goodness to take an early opportunity of laying the same before the Council for their favorable consideration.

As an additional security to the valuable lands named in Mr. Redout's letter Colonel Mills is prepared to assign to the College a further indemnity. A judgment the execution upon which has been issued and now remains in the hands of the Sheriff against all the lands of Mr. Redout) returnable the last day of Hilary term next.

The total amount debt, interest and costs computed to the first proximo is one thousand pounds 10/9.

Should the Council feel disposed to grant the indulgence sought for, they will forward the wishes of Lord Al. Mills and prevent a most serious sacrifice of Mr. Redout's property.

Yours George Redout Esq^r
(Enclosed in the above.)

I have the honor to be
Signed J. H. Mills.

My dear Sir

Toronto 10th July 1841

I find that the Council of Kings College have in many instances extended the time for payment of debts, taking mortgages to secure the repayment of principal and interest.

In granting these indulgences they have been influenced in great measure by the well known difficulty of meeting engagements at the present moment by attempting to raise money by the sale of lands.

Grateful as I am of discharging my debt to your Father I find that without knowing

the most anxious sacrificer I cannot reflect that
 which I amured to me that as my debt forms
 part of your Father's liabilities to the Council that
 they might feel inclined to accept the assignment
 of my obligation to your Father and extend that
 indulgence to me that has been shown to others
 provided I would offer undoubted security for
 the repayment of the money at a distant day
 and of the interest at stated and fair periods

Should they feel inclined to show
 me this favor and allow me light or two years
 wherein to pay the principal I would offer lots Nos
 19 and 20 in the first Concession of Scarborough 400 acres
 valued at £3000. and the Northern parts of 17822
 and the N E part of 17 and 18 all in the eighth
 Concession and the Southern half of No 6 in the 7th in
 the Township of Grimsby in the Niagara District
 valued at £300. to secure the full payment of
 this debt, and interest payable annually or at
 such other periods as might be required. We
 please to request your Father to lay this proposition
 before the Council for their consideration and believe
 me to be
 Yours truly George Ridout

P.S. On the Scarborough property there is an incumbrance
 of about £500 incumbrance on the other land.

From Sir Toronto July 24th 1841
 Geo N Wells Esq (Colonel William Chisholm and Mr
 George Chisholm of Oakville are jointly indebted
 to Lieut Col Wells in the sum of £303 and are
 desirous that the same should be settled
 and Lieut. Col. Wells is equally anxious that
 his debt to the University should be reduced
 in the manner proposed in the enclosed letter
 I therefore have the honor as
 Attorney for Col. Wells to request that you will
 oblige him by having the goodness to take as early
 an opportunity as possible to lay the accompanying
 documents before the Council of Trinity College

for their favourable consideration

I have the honor to
 signed H. Boys.

Thos W Chisholm
 enclosed in the above

Toronto June 10th 1841

My dear Sir -

Being anxious to arrange with
 your Father for his Claim against me, and
 also his Claim against my brother - I beg to
 enclose you two notes of James Hopkirk's in
 part for the debt, I also offer you part lots of
 and of which contain between them six acres
 now in the village of Oakville that is worth
 at least £30 - per annum - But if you would
 rather have the lots than the notes. I will leave
 it with you to arrange with the College
 as will best suit all parties

Yrs very truly
 signed W. Chisholm

Two notes enclosed in
 the above letter -

£50 - 10 - 0

Toronto 8th January 1841

Thirty months after date I promise
 to pay to the order of William Chisholm Esquire
 at the office of the Bank of British North America
 in Toronto the sum of Fifty six pounds currency for
 value received
 signed James Hopkirk

£57 - 10 - 0

Toronto 8th January 1841

Three years after date I promise
 to pay to the order of William Chisholm Esquire
 at the office of the Bank of British North America
 in Toronto the sum of Fifty seven pounds 10th 0th
 for value received
 signed James Hopkirk

From Sir Toronto 12th August 1841

(Jumble Esq)

Among the securities offered by the Messrs Wadsworth to the College is a judgement against Rich^d Wadsworth and Alex^r Hamilton of this City for £500 (I write Int: from 1st of last) both Parties are perfectly good as you will find in a reference to any of the Gentlemen named in their letter enclosed and well deserving of consideration there would be no difficulty in making the amount at once out of their effects should the execution be enforced but the Wadsworths are anxious to avoid such a step if the responsibility be removed from them.

Messrs Wadsworth and Hamilton have requested me to enclose their request to you to lay before the Board at their first meeting and I agree to stay all proceedings until your answer be received.

With regard to the arrangement proposed by the Messrs Wadsworth which has not been completed I would mention that it was delayed in consequence of the absence of W^m Small (as you are aware) for some time, and after the papers were submitted to and approved by him and engrossed and printed, I left town for some weeks. Upon my return I found that an error had been made in the style of the Corporation and nothing more had been done. I am now waiting till they get through with their Harvest when the whole thing will be formally completed and delivered.

Yours O^b Serv^t
Wm C Jumble

From
Messrs Wadsworth &
Alex^r Hamilton

Gentlemen

Enclosed in the above.

Toronto 10th August 1841

as a note from us to

the Messrs Wadsworth of Weston on the 1st of June for \$500 - which note has been transferred by them to you, the note is overdue and gives us a great deal of uneasiness in consequence of our inability to meet it at present without a considerable sacrifice and inconvenience, for altho the Contract in which we are engaged will be completed by the first of October, the Balance of Cash which we will have to draw at its completion will be scarcely sufficient to pay the hands off and the sum of money we have borrowed of the Bank to carry on the work -

We will have a great deal of Materials of various descriptions but it will require time to convert these into money. The materials we can work up in our business and make money of them in that way. but the vessels of which we had to purchase two we shall have either to sacrifice or sell them on Credit, Horses, waggons, Carts, Sleighs, Whips with many other articles we shall have to resort to the same means in order to realize their value or near to it.

Now the object of the above statement is that you may be properly informed of the reasons of our not making the note at the proper time as promptness has been and still is our desire and intention whenever ability is given us.

We also to prepare you for our application that an extension of the time for the payment of the sum to by you as you deem granted to us -

What we beg of you to grant is the cancelling of the present obligation by which the Messrs Wadsworth would be exonerated and accepting in lieu of it a Mortgage on property which would at

any time, being more than double the cost
and now rents for 1750 a year. As soon as
the time we would ask you
to explore to it until Jan 1st 1843 -

And as some of the gentlemen
comprising the College Council are not much
acquainted with us with regard to the
interests of our principles or our general
business habits we beg to refer to the Hon^{ble}

- Hon^{ble} William Allen
William Poundfoot Esq^r
Thos G. Redout Esq^r
Geo. Munro Esq^r
Hon^{ble} George Crookshanks
John O. Baldwin Esq^r
Peter Paterson Esq^r
James F. Smith Esq^r

or to almost any of the most influential merchants
of the City.

I hope that you will deal as
kindly with us as possible Gentlemen We

W. H. Munro &c
Signed E. R. Woodworth
J. C. Hamilton

To the Hon^{ble} Secy. of the Board of Education
Dear Sir,
I have the honor to acknowledge the receipt of 17th inst. 1841.
Herewith, you will receive the schedule and accounts
reported by the Committee on school lands in duplicate except by
the accounts of Mr Macdonald and office copy of which must be made
There are a few memoranda to be added to the rough copy of the schedule
at the end of each township. When you can have put on at your
office. I will send you a written report on the subject by post
from the Chamberlain for which place I intend this morning to remain
two weeks or more. I am, Sir, very respectfully,
Yours, Wm. H. Munro, Secy. of the Board of Education.

list of documents transmitted with the foregoing letter.
account between Mr Macdonald & the General Board of Education Single
2^d " " 2^d for interest, 2^d
2^d " Hon^{ble} Secy. Wells & 2^d duplicate

account between Mr. Benj. Tett & the General B. of Education.
 2^o ... Col. Dalhart & 2^o
 Schedules of the unsold School Lands
 a schedule of the lands paid for in full.
 General Schedules of all the School lands, with a statement
 of the school fund account.

From
 C. Gamble Esq
 Sir,
 Exempt 20th August 41.
 On the part of John Harper one
 of the debtors whose liabilities to the
 Woodsworth has been assigned to you
 for payment to the amount of £300 -
 I have been requested to make a similar
 application as in the case of Woodsworth
 and Hamilton. He can give very respectable
 security upon freehold Estate to the
 extent of £1500 or £2000 - His circumstances
 are known to the whole City -
 Will you take the sense of the Council
 upon this at their next meeting -
 Signed C. Gamble

From
 W. H. Lee Esq
 Sir
 Executive Council Office
 Kingston 3rd Sep^r 1841
 I have the honor to transmit to
 you a letter from Major Campbell to the
 Commissary General with reference to the
 payment of the sum of £44-15-10 being
 the allowance to U.C. College from the
 1st of Jan^y to 4th Feb^y 1841 the residue of
 the sum of £1000 - is subject to a vote
 of the Legislature - I am &c
 Signed W. H. Lee

From
 Major Campbell
 Sir
 Govt House Kingston
 July 14th 1841
 I am directed by His Excellency
 the Gov^t General to request you will pay from
 the Crown Lands fund to Henry Boys Bursar

of Kings College the sum of £54-15-10 Sterling
being allowance to U.C. College from 1st Jan'y
to 9th Feb'y 1841

I have the honor to
signed Edmund Campbell

Sir Randolph North
Company General

Wm. Lee Esq. Sir
Executive Council Office

to C.O. Toronto
8th Sept 1841

I have the honor to acknowledge
the receipt of your letter of the 3rd Inst conveying
a letter from Major Campbell to the Company
General with reference to the payment
of the sum of £54-15-10 Sterling stated
to be the allowance to U.C. College from 1st of
January to 9th February 1841

I beg to inform that if the above
sum was intended to be the proportion allowed
to U.C. College of +1000 Stg. from the period
of 1st January to 9th Feb'y it is but $\frac{1}{2}$ the
amount it ought to be, it is calculated
for 20 days instead of 40. and should be
£104-11-9 Stg. Perhaps you will have the
kindness to inform me whether I take a
correct view of the subject and if so will
point out how I can get the error
rectified

I have the honor to
signed A. Boyce.

Wm. Lee Esq.

Sir

Kingsford 8th Sept 1841

I regret the error which has taken
place with respect to the allowance to U.C. College
from the 1st January to the 9th February 1841.

We please to return me Major Campbell's letter
and order that I may proceed from that
letter and another for the correct amount
£104-11-9

signed
Wm. Lee

207

To Sir
 W. Wilson Esq
 I enclose you Major Campbell's
 letter of the 14th of July last for the purpose
 of the Commission necessary and remain &c
 Yours &c H. B. B. B.

From
 Robert J. Turner Esq
 Dear Sir
 Stuart, vs. Kings College

In the answer of the College
 to this suit the Defts put the Complainant
 "that deny it to be true that the said Complainant
 have duly tendered to these defendants the payment
 of the said instalments of the said sum of £1200
 each together with the legal interest thereon
 but these defendants admit it to be true
 that the said Complainant have offered to
 pay the said instalments and that they
 have refused to accept the same."

I understand from our Opponents
 that when Mr Wilson (Mr Baldwin's partner)
 was on the subject and offered to pay he put
 the question to you whether you would consider
 that as a tender to which you replied in
 the affirmative. I write now to enquire
 of you if this were the fact. It is a matter
 of little importance and if you think it were
 so it will be just as well to admit it,
 as it will save the trouble of examining
 witnesses to prove it. Your early reply
 to this will much oblige

Kington 18th Sept 1841.

Dear Sir &c
 signed Robert J. Turner

To Sir
 R. J. Turner Esq
 K.C.O.S.
 21st Sept 1841
 In reference to your letter of the 18th
 last requiring to be informed whether when
 Mr Wilson came to this Office for the purpose.

of paying the arrears of sustentments and interest due to the College on Lot No 5 in 2nd Concession of East Flamboro on behalf of John Stewart I assented to a question he pretended to have put to me, whether I would consider his offer to pay as a tender of the money & I can only say I have no recollection of his putting such a question to me. At the same time I readily admit that if he did put that question to me, in all probability I assented in the affirmative. For I was not aware of the legal nicety in this matter and I considered him ready to pay the money & if I had been willing to receive it.

I remain &c

(signed) H. Boys

King's College Univ
1st October 1841.

I am directed by the Council of King's College to apply to you for the Drawings Specifications &c which you prepared for the intended University and which from you of King's College during the time you were receiving a salary as architect to the University and which from your letter of the 13th July 1839 the Council expected would have been deposited in this Office within a short time from that date.

I have the honor &c
signed H. Boys.

The Hon^{ble} L^{td} B. Harrison
Secy for Western Canada Sir

H. C. O., Toronto
1st October 1841.

I have the honor by the direction of the Council of King's College to request you will supply me with a copy of the Act

lately passed by the Provincial Legislature
intituled, which would appear by the newspapers
"An Act to make temporary provision for
the appropriation of the fund derived
from the sale of School Lands in that
part of the Province formerly upper Canada
and for other purposes"

I have the honor to be
signed H. B. R. Esq.

To Sir,
The Rev. D. McCaul
K. C. O. T. 5th Oct. 1841.
From the interest you have taken in the Memorial
of Mr & Mrs Cosens I request you will permit the communication
of the Decision of the Council to be made to them through you
and for that purpose I enclose you the Minute made on
the subject. I have &c. H. B. R. Esq. K. C.

To Sir,
Geo. Barber Esq.
K. C. O. T. 5th Oct. 1841.
I beg to enclose you the 7th Minute of the
proceedings of the College Council held on the 2nd inst
and have the honor to be &c. H. B. R. Esq. K. C.

To Gentlemen,
Messrs G. P. & L. D.
Kiddon.
K. C. O. T. 5th Oct. 1841.
I have the honor to enclose you the 8th Minute
of the proceedings of the Council of Kings College at their
meeting held on the 2nd Instant.
I have &c. H. B. R. Esq. K. C.

Memorial of
the Resident Master
of U.C.C.
Boarding House
The Memorial of the Resident Master and
Matron of U.C.C. Boarding house most
respectfully sheweth:-
That your Memorialists have
now been in their respective situations
two years and three quarters -
That during which time they

Letter of
Mr. W. W. Coe.

have used their utmost exertions to preserve the morals and promote the comfort and happiness of the youth entrusted to their care and to afford satisfaction to the Parents and to the Authorities to whom they are responsible.

That (in proof, that in this they have not failed) they would respectfully beg to point to the increase of the number of Boarders there having been 34 in the house during the last quarter, and to refer to the satisfaction repeatedly expressed by many parents, and they would also confidently appeal to the testimony of the Principal of the College from whom they feel assured they should receive that corroboration of their statements which his knowledge of the facts would enable him to afford.

But your Memorialist regret to state that whilst they have used the strictest economy in the management of their domestic affairs - the sum received for the Board of the Boys has not been sufficient to meet the expenses of the Establishment and that consequently the year's Memorialist in one year sunk more than £210 Sterling.

Your Memorialists have however persevered in their endeavours to limit their expenses & their receipts, in the hope that an increased number of Boarders would enable them to effect this object, but in this they are disappointed and now find themselves deficient in a further sum of nearly £300 of -

Your Memorialists are aware that it may be objected that this deficiency may have been caused by their own family expenses but they would respectfully anticipate this objection by stating that there are regulated with the utmost economy in all things

and that the salary of one of your Memorialists as Master of the preparatory School together with a small annual income from England is fully equal to their own family expenses and they would respectfully observe that the case they have submitted is not a new or wholly unprecedented circumstance. The late Matron having informed your Memorialists on their coming into the Establishment that she had been a considerable loser.

And your Memorialists respectfully submit that this will not be a matter of surprise after a brief consideration of the following statement. Taking 50 as the average number of Boarders the sum received annually for their board would be £1150 - from which when a deduction is made for washing £125 Wood about £100 - Oil £54 - Servants wages £111, There remains only £760 to defray the whole amount of the House Keeping expenditure which sum if divided by 50 the number of the Boarders and 5 Servants gives only £13-16 per annum for the Board of each with numerous incidental expenses.

And this Memorial further sheweth That your Memorialist would most respectfully beg leave to draw the attention of your Honorable Council to a consideration of the duties incumbent upon the Resident Master and Matron of the Boarding house and the remuneration for the same -

That they are of a most onerous arduous and anxious nature requiring the most incessant vigilance and exertion occupying much valuable time - and allowing

Petition

Mr. McCaughey

and little respite - That the Short Holidays are no Holidays to them, and that even the Sabbath is anything but a day of Rest.

The consequence of which is that your Memorialists feel that their health is impaired and that they stand in need of more relaxation - They have therefore long desired to keep a Horse that they might be able to take some little recreation during the short intervals which would allow of it, but they have hitherto been prevented from the want of a stable and under existing circumstances they cannot now venture to incur the expense -

Your Memorialists would have beg. leave to Explain -

In dealing upon the sum of money they have sent, they would not be understood to have intimated a claim for compensation for the past - They would repudiate any such intention - Neither would your Memorialists be understood to have complained of the duties incumbent upon them - They are not insensible of the importance of these, and they feel that in discharging them to their utmost, they are but doing their duty, and they consider themselves privileged in so doing if they are so happy as to give general satisfaction -

Now would your Memorialists entertain a thought of being enabled to keep any article of luxury - Did they not feel that in their situation the convenience of a horse is essentially necessary -

But your Memorialists have desired only to make it known to your Honorable Council ~~with consideration~~ -

That, whilst their situation is one

of great responsibility - it affords no protection against serious loss, and that, whilst their duties are of a most onerous arduous & anxious nature, requiring incessant vigilance and exertion, occupying much valuable time and allowing but little respite - The Resident Master's salary is only £25 Cy per annum and the Institution has no remuneration -

Your Memorials therefore most respectfully hope that your Honorable Council will condescend to take these matters into their consideration, feeling assured that the result will be marked with that liberality which has ever characterized the deliberations of your Honorable Council.

All which is most respectfully submitted
 W. C. C. Boarding House
 June 20th 1841.

W. C. C. Toronto
 6th October 1841
 Sir
 I have the honor to enclose a copy of the minutes of the proceedings of the Council of King's College at their meeting held on Saturday the 29th of October 1841 for the purpose of their being submitted for the information of His Ex^{ty} the Adm^r of the Government Chancellor of the University.
 I have the honor &c
 Signed H. Boys

Toronto October 7th 1841
 Sir
 In accordance with the request contained in your letter of the 1st that I will deposit in your office all the drawings & specifications &c prepared by me for the intended University of King's College -
 In complying with your request I trust the Council will take my

claim to further remuneration into their most favorable consideration, & I cannot believe that by demanding my drawings, that I am thereby to infer, that by delivering them up, I abandon the claim to compensation.

It is necessary previous to sending in the drawings &c to prepare lists of them I will do so without delay -

I have the honor &c
Signed Thomas Young

To
Major Wilmott
And: Depart^{ts}

H. C. C. Toronto
8th October 1841

The Council of Kings College being desirous of ascertaining the value of two blocks of land in the Township of Brantford viz 140 acres situated in lots 16 to 21 in 2nd Con & 125 situated in lots 13 to 18 in the 3rd & 4th Con: both Indian lands, claimed by Lloyd Richardson and aware of your perfect knowledge of land in that neighborhood have directed me to address you and request you will have the kindness to give them your opinion of what may be about the Market value of those lands on an average per acre -

Signed H. Boys

To
Wm. E. Esq
Clerk Ex^{co} Council

Sir

H. C. C. Toronto
8th October

I am directed by the Council of Kings College to request you will inform me the state of the proceedings before the Executive Council in the case of Lloyd Richardson Mr. R. J. Turner to purchase some Indian lands in the neighborhood of Brantford I believe it would be found that in the early part of 1837 Mr Richardson contracted with the Crown for the purchase of this land and that in November of the same year

Lieut. Col Wells was acknowledged as a signatory
 thereof, these intimations may at least
 assist you in referring to the case -

Signed H. Booy -
 K

K C O Toronto

8th October 1841

Reverend W. H. Draper Sir

I am directed by the Council
 of King's College to request you will inform
 me of any proceedings within your
 knowledge that may have reference to
 the claim of Mr & J. Turner alias
 Lloyd Richardson to two blocks of Indian
 lands containing 1265 acres in the
 neighbourhood of Brantford.

Signed J. Booy -

K C O Toronto

9th October 1841

To
 Jas E Small Esq
 Lecturer to the University

Sir

I have the honor to enclose to
 you a copy of the 3rd Minute of the proceedings
 of the College Council at their meeting held
 on the 2nd Instant and am directed to
 request that you will examine into and
 report upon the several cases the minute
 refers to -

I send you also the papers
 connected with the several cases according
 to the enclosed list except the case of Messrs
 Turner & Patrick of which the papers are already
 in your possession - and with reference to
 this particular case I have directions to
 apply to the Clerk of the Executive Council and
 to the Attorney General for some further information
 which when obtained shall be forwarded to you -

I am also desired to obtain a valuation of the
 land offered by Messrs Turner & Patrick which
 shall be sent to you as soon as it can be
 procured -

Signed H. Booy.

ms. A. 1. 12. 1841.
 p. 216.

ms. C. 1. 13. p. 258

in 1841. 1841. report

the letter in this book

p. 231 -

Lists of the documents referred to as
 accompanying the letter of the Rector
 of Kings College - dated 9th October 1841 to
 the Solicitors of the University.

1. Letter from Clark Gamble Esq dated 12th
 August 1841 respecting Messrs Woodworth & Hamilton.
2. Memorial of Messrs Woodworth & Hamilton.
3. Letter from Clark Gamble Esq dated 30th Aug^r 1841
 respecting Mr John Harper
4. Letter from R H Thornhill Esq. dated 13th April 1841
5. Letter from G Wells Esq dated 27th July 1841
 respecting Mr Thornhill
6. Mr Howards valuation of Mr Thornhills property
7. Letter from G. Wells Esq^r dated 27th July 1841
 respecting Mr George Ridout
8. Letter from Mr Geo Ridout dated 10th July 1841
9. Letter from Mr G Wells dated 27th July 1841
 respecting Col Williams & Mr Geo Chisholm
10. Letter from Colonel Chisholm dated 10th June 1841
11. Two promissory notes both dated the 10th of January
 1841 and signed by James Hopkirk, one 30 months
 after date for £ 50 - & the other 3 years after
 date for £ 57 - 10 - 0 -

Kings College Office

9th October 1841

Signed H Frazer &

From
 Mr Genl Office - Sir

Attorney Genl Office
 Toronto 11th October 1841

Mr Snaper instructs me to
 inform you with reference to your communica-
 tion of the 8th inst on the subject of
 Mr Stevens claim to two blocks of land
 containing 1205 acres in the neighbourhood
 of Bradford that having no personal knowledge
 whatever in the matter independent of that
 derived as an Executive Councillor he has no
 communication to submit -

Signed Larratt W Smith.

Major Winniett

Barnstaple 12th Oct 1841

I have the honor to acknowledge the receipt of your letter of the 8th instant respecting a tract of Indian lands on both banks of the river usually called the Sheep walk. I have no answer to say that no sum offered from £2 to 7 dollars would be a paying price for even acres of that land leaving it to the competition of a public sale to fix its value.

Yours faithfully
Wm. Winniett
Esq.

The University of King's College
to Jas. E. Russell Solicitor

From the 1st day of January 1841 to the 11th day of June 1841 - inclusive L.L.S.

- " Attending Mr Geo Wells at the request of the Bursar for the titles to lands of Col Wells given by him in security to the Council & Examining same 1-3-4
- " Attending Bursar and taking instructions to defend suit in Equity Stuart vs. Council 6-8
- " Returning in same suit 3-4
- " Attending Bursar and advising with him for instructions to be drafted for the guidance of Agent Office with respect to trespasses in Niagara District 6-8
- " Drafting instructions for title 1-3-4
- " Attending Mr Geo Wells at the request of the Council and consulting with him as to the property to be absolutely assigned to King's College in discharge of a portion of Col Wells' debt 6-8
- " Letter to Bursar relative to suit vs. Stuart 2-6
- " Writing letter to Winchell relative to trespasses in Seymour for further information 2-6

£ 8 - 11 - 8

Out of	To	Amount Brought forward	8-11-8
For Small Exp.	" Letter and Opinion to Bureau		
Subscribed to H.C.	relative to selling lot 4 in 1 st Cong of Lib		
	Examining cases &c	1-3-4	
To Fair Copy and forwarding same		"-11-8	
" Giving opinion upon the subject of Mrs. Fair's	claim to a deed of land purchased by her		
	husband in his life time	1-3-4	
" Fair Copy and forwarding same		"-11-8	
	Drafting and Expressing Special Deed to		
	Mrs. Fair including parchment and Attendants	3-	
" Examining Conveyances from Wadsworth	to College Council, letter Mr. Gamble &		
	consulting him thereon	1-3-4	
" Costs between Attorney and Client since	led by defendant in Cause No. 2 of New		
	York vs. Blaine	9-13-11	
" Costs of Costs College vs. Moore			
	Stayed by order	3-2-6	
" Costs of Costs College Council vs.			
	Miller Stayed by order	0-3-7	
		<u>£35-7-0</u>	

From
Wm. H. Lee Esq.

Sir

Executive Council Office
Kingston 12th October 41

I have to acknowledge the receipt of your letter of the 6th instant stating that you are directed by the Council of Kings College to request that I would inform you the state of the proceedings before the Executive Council in the case of Lloyd Richardson to purchase some Indian Lands in the neighbourhood of Bradford.

In reply I have the honor to transmit the copy of a report of the Executive Council being the last decision of that Body on the subject same which the case does not appear to have been brought forward.

I have the honor to be

Yours &c

Wm. H. Lee

Enclosed in
the preceding
letter from
your Secy.

For the prior minutes on
this subject, dated 21 Jan 1837.
in this book p. 225.

(Copy of a Report of the Executive Council of
the 33rd of November 1837 - Approved by His Excellency
Lieut Governor Sir Francis Bond Head relative
to 1265 acres of land in the Township of Brantford
leased by the Crown to Lloyd Richardson)

The Council after a full consideration
of this case, finding that the Hon^{ble} Col. Wells
has the legal Estate and term of years granted
by the Patent to Mr Lloyd Richardson vested in
him by the Assignment made with the necessary
assent and of opinion that his application is the
only one on which they are called upon to report
And as the order in Council of 21st of January last
permitting Mr Richardson to purchase a payment
of money down has not been complied with
and is therefore of no effect the only question
arising is with reference to that lease and
Assignment - After Col Wells offers to pay up the
back rent - the Council do not think that a
forfeiture can be enforced on the ground of
nonpayment within the time limited, and there
is no other ground of forfeiture suggested or
known - They therefore respectfully recommend
that Col Wells be called upon up Assignment
of the Lease to pay up the rents and to
provide for the performance of the conditions
therein contained, as the Council are of opinion
these conditions should be rigidly enforced.

To
Lieut. E. Small Esq
Solicitor -

Sir

Trinity College Office
14th October 1841

In reference to my letter to you of the 9th Inst
I now enclose you 3 letters relating to the land offered
to the College by Mr Turner viz^t

From the Attorney General dated 11th Inst

" Major Wilmott

" 12th "

" W^{re} - dated 12th Inst with its enclosure

Wm. E. Small Esq.

The information contained in these letters will
probably assist you in making a further
report on Mr Turner's Case.

I have the honor &c
Signed, H. Boys.

From
Wm. E. Small Esq.
Calcutta &c

To

Toronto 15th October 1841

I have the honor to acknowledge
the receipt of your letter of yesterday's date
transmitting for my information a letter from
the ~~Wm~~ General, one from Major Minnett, and
one from Mr Lee with the copy of an order in
Council upon the subject of the lands offered to
the College by Mr Turner

Upon perusing these I see that a
reference is made to an order in Council of the
21st of November 1837. "Permitting Mr Richardson to
purchase upon payment of money down" which
it will be necessary I should be furnished
with a copy of to enable me to arrive at
a correct opinion as to the ultimate probability
of the lands offered being made available to
the College—

I have the honor &c
Signed, Wm E Small—

Wm. E. Small Esq. Sir

R O O Toronto
15th October 1841

The document you were so kind as
to forward to me in your letter of the 12th Inst
respecting the application of Mr Lloyd Richardson
for certain Indian lands in the neighbourhood
of Kingston & Brantford having reference to an
order in Council of the 21st Nov^r 1837 I am
directed to request you will furnish me
with a copy of what may have passed in
Council on the subject on that day

I have &c
Signed H. Boys

From Sir
 Mr G. Redout Esq
 Cashier B.M.C. I purchased on the 11th Instant for amount
 of the Council of King's College the following
 Debiture -

N^o 203 Roads & Bridges (Govt Debiture) £ 1000 -
 Interest on the same (from 16th May to 10th Oct 1841) @ 24-6-7
 Agreeing on the transfer of 1/4 % 2-10-0

Amounting to the sum of - £ 1026-16-7
 By which the above Corporation is
 charged in amount

I enclose the several certificates of
 Lodgement -
 signed Thos. G. Redout
 Cashier -

This is to Certify - that the Council of King's
 College has this day lodged in the Bank of
 Upper Canada by the hands of J. Hume Esq
 Treasurer of King's College, a Provincial Debiture
 N^o 203 Roads & Bridges - One thousand pounds Cy
 dated May 16th 1831 redeemable May 16th 1851
 Interest at 6 per Cent per annum payable
 half yearly on the 16th November and the 16th May

£ 1000 - - - Cy
 Bank of Upper Canada
 Dated 11th Oct 1841
 signed Thos. G. Redout
 Cashier

To the Office in Charge of Sir
 The Commissariat Department
 Kingston, Authority with a copy thereof for the
 payment to me of £ 104-11-8 M on
 account of Upper Canada College and
 request you will send me a check for
 the sum on the Commissariat funds at this
 place
 signed J. Hume
 18th October 1841 -

Wm. L. Garrison Esq
 Boston

Secretary's Office

Amherst 15th Oct - 1841

I have the honor by the
 Command of the Administration of the
 Government to request you that his
 Excellency having had under his consideration
 the Minutes of the proceedings of Trinity College
 Council at their meeting on the 2nd Instant
 and being unacquainted with the previous
 State of Matters referred to in the fifth of
 their proceedings relative to the Claims
 of the College against Col Wells and also
 with the State of the Claims against Mr
 Barber referred to in No 7. He has desired me
 to request you will have the goodness to furnish
 me for his information with a Statement
 in detail on those subjects, that he may
 have an opportunity of becoming fully
 acquainted with their matters before
 taking the minutes into consideration
 with a view of determining whether he ought
 to approve of them

I have the honor to
 be, Sir, Dear Sir,
 Signed J. Briggs

Wm. L. Garrison Esq

Trinity College Office

Amherst 14th Oct - 1841

I have the honor in reply to your
 letter of the 5th Instant, to state to you for the
 information of His Excellency the Administrator of
 the Govt that in respect to Col Wells -

that gentleman at the time of his removal
 from the situation of Treasurer to this Corporation
 was a defaulter to a considerable amount
 and that in the schedule of his assets delivered
 over to the College property was included belonging
 to the individuals mentioned in the minutes
 Nos 5 to which you have referred - which, properly
 had been pledged to Col Wells - in debt due to

arise from the parties - These parties now
 propose at the desire of Col Wells to have
 their debts transferred to the College for the
 purpose of relieving Col Wells liability to
 the amount of them. The Council in other
 instances have assented to measures of
 this kind - but never without the most
 scrupulous regard to the interests of the
 Corporation, insisting always on an improvement
 on the security, and always referring the
 matter to their solicitor for their report thereon
 and you will observe in the present instance
 in the minute referred to in their direction
 to the Committee thus appointed this state, "In
 " as far as they shall find the interests of the
 " College served by an improvement of the
 " security at present held. Should the Council
 in any or all of these applications acquiesce in
 the wishes of the parties the condition of the
 Corporation will be improved by the arrangement.

In the other case that of Mr Parker
 Thos E. Thoman was collector of the dues
 for W. C. College and when removed from his
 Office in July 1839 was a defaulter to the
 amt of \$1539--3-11 - He came forward &
 placed himself in the situation of a common
 Bankrupt he surrendered a the whole of his
 property which was taken by the College at
 a valuation amounting to \$1011-1-6 he
 then addressed a Memorial to the Council
 praying to be discharged from further liability
 that he might have an opportunity of engaging
 in some line of business for the support of his
 family - After much delay and much deliberation
 on the subject the Council finding that nothing
 more could be recovered from him, and that
 throughout the business he had conducted himself
 in a candid and proper manner, consented to
 relieve him from the balance of his debt.

As the College is not aware that by
the tenor of the Charter no matter involving
an Ordinance or General principle of balance
can come before the College Council until it
has first been reported to by the Chancellor
and President, it is thus placed before the Council
whose proceedings in ordinary matters of
business require no second approval, only
when the Chancellor happens to be absent
copies of the Minutes are sent for his information.
Shew the Honor &c
Signed H. Boys.

Mem^o 20th Oct. 1841. Particulars of Drawings plans, &c -
delivered to the office by M^r Thomas Young Architect, for
which the Bureau has given his receipt
Delivered 12th Oct.

6 general plans of Univ. of K.C. numbered from 1 to 6.
a small case of drawing instruments.

12 Drawings of the Eastern building, south side of the Quadrangle
numbered from 1 to 12.

Design N^o 1 of the intended Univ. mounted & framed.

Delivered 20th Oct.

33 Drawings of Lampeter College

a Portfolio containing

23 Drawings of the S.W. Building

1 2^o of the drainage to S.

19 2^o of the S. side of the Quadrangle.

Specification of S.W. Building

2^o of S.E. 2^o

3^o of S. side of Quadrangle.

a Portfolio containing

1 General plans of the Univ. Professors residences, &c

2 Drawing of a design submitted to the Council

21 Drawings from which the first estimates were prepared.

Design 3rd 2 of the inside of the Lead angle mounted & framed.

The Bureau also gave an acknowledgement that estimates 3rd 1 & 2 of the University of K.C. dated 2nd December 1837 are in the office.

From Received October 21st 1841 -

W H Lee Esq
 Clerk of G^o Council Extract from the Minutes of the Executive Council of the 21st January 1837 - appeared
 to His Excellency the Lieutenant Governor?

subsequent minutes
 to, original dates
 Nov. 1837 - his book
 217.

"On the Petition of Lord Polkington, stating
 "that he is proprietor of a Lease from the
 "Crown of 1300 acres of land, or thereabouts
 "situated on his estates of Bradford and
 "Burgford in the County of Dorset, eight years
 "from the 25th day of December 1835, that previously
 "to the granting of the said Lease - a
 "Valuation was made of the said land by
 "Gibson, a Surveyor appointed by and on
 "behalf of the Crown that he is anxious to have
 "the purchase money thereof and praying that
 "a Patent may be issued to him of the land
 "comprised in his said Lease upon payment
 "of the sum at which the same were so valued
 "or otherwise or upon such other terms as
 "shall seem meet."

And the report of William Stephens
 "Acting Trustee of the Sep^o Nations Indians, stating
 "that he has no objection to the petitioner
 "becoming the purchaser of the 1300 Acres of
 "the Land, at the rate of 30/- per Acre. Cash down
 "on paying up the amount of Rents now due according
 "to the valuation of Deputy Surveyor William
 "Walker
 "Recommended according to the report of the
 "Acting Trustee"
 "Signed W H Lee."

To
J. P. Small Esq
St. John's Univ.

Sir,
In reference to your letter of the 10th inst. I have
the honor now to enclose to you an authenticated extract
from the minutes of the Executive Council of the 21st Jan^y 1841
relative to the land offered to the College by Mr. Jones.
I have &c W. B. Sigbee Esq.

From
Wm. B. Sigbee Esq
U. C. E.

Comm. to Kingston
20th October 1841

I have the honor to acknowledge the receipt
of your letter of the eighteenth instant, and
the enclosed draft on the Commissariat Chest at
Toronto for £101-9-4 I have at 42
I have the honor to
Signed Wm. B. Sigbee

From
Messrs J. P. & J. D.
Midwest

To
Messrs J. P. & J. D.
Toronto - 17th Oct - 1841
Messrs J. P. & J. D. of King's College
Toronto

Sir,
We have to request that you
will lay before the Council of King's College
at its next meeting the enclosed Memorial
We beg to acquaint you that
the appended voucher of Appraisement is a copy
of a valuation made by Mr. Radenburt (whose
Judgment is respected in such matters). Many
last obtained by us at that time in order to be
inspected in our own opinion, that we were
not about to make any unreasonable proposition
to the Council.

We feel that under the circumstances
of our case we stated in the Memorial and
Considering the remunerative terms of payment
which it is usual for the Council to tell upon
that the full value to be expected upon reason-
able credits will be allowed to us - and we think
that weighing the of those the College have applied
to with that of Mr. Radenburt, the lands are not
overvalued at the amount we have attached

to them -

We deem it proper to add that until Mr Radcliff had affixed the valuation he was not informed of our object in desiring his opinion.

Signed, Geo Perc Ridout
Signed, Joseph D Ridout.

Memorial

enclosed in the above

To The Honorable the President and Council of King's College

The Memorial of G.P. and J.D. Ridout.

Respectfully Sheweth.

That a few days since the Registrar (Mr. Ross) of the College, enclosed your Memorial an extract from the minutes of the proceedings of the Council of King's College at their meeting held on the 3rd October last by which it appears that the value placed on the Land offered in Discharge of your Memorialist's Bond is limited to (£300.) Two hundred and twenty pounds.

Whilst your Memorialist feel much gratified with the language in which the Council has been pleased to express itself as to the conduct of your Memorialists in relation to this unfortunate transaction. A sense of duty to themselves as well as of justice induces them to advert more fully than they hitherto have done to the circumstances under which they were led to assume a liability for which they never have nor can receive the least consideration.

When your Memorialist tendered their Bond the clear and plain understanding with Mr. Hagerman and the Council for King's College in substance was, that, notwithstanding the circumstances under which they were led to assume the responsibility.

of the Bazaar. As far as Mr. Hays was concerned, this pledge and assurance on the part of the College that he himself prepared the Bond in question, stating that he did so to prevent the transaction being known even to his own Clerks.

In consenting to this arrangement Mr. Haysman although at the time, a member of the Council was ~~not~~ authorized. But your Memorialists were led to believe that he had full power to accept the security given on the terms now stated, and they would add that had they been aware of the results of a full exposure of all the facts connected with this distressing Woman their Bond would not have been tendered. One great object of your Memorialists was to prevent the exposure of the faults and failings of a Brother, and thereby afford him an opportunity of being saved from becoming an outcast and alien to his Country and Friends.

The full publicity that has been given these matters through the Journals of Parliaments have destroyed all their former hopes and expectations and brought defeated the object. They had so much at heart, and their Brother is now a wanderer in a Stranger Land without the most distant prospect of ever being able to return.

Since the date of the Bond your Memorialists own prospects from unexpected Readers and other causes have been to this Society the President and to some others of the members of the Council have been very much darkened and the gloomy aspect of the Country renders it uncertain the continuance of that aid which is necessary to enable them to maintain

their present positions —

Yet notwithstanding this breach of the agreement and notwithstanding your Memorialists doubtful prospects. They feel inclined to propose that the said should be taken at the medium price between the estimate made by Mr. Padenham on their part (see appendix) and by the surveyor on the part of the Council, which would leave about (£300) two hundred acres to provide (see Annex herewith) and for this purchase they would offer at 10s per acre — being the average value made by the College Surveyor of the other six hundred acres —

Lot No 63 in the 2nd Con West of ¹⁸¹¹Trusdunishue Road in the Township of ¹⁸¹¹Elles & 1st of 1st in the 3rd Concession of the same Township —

Taking into consideration the Credit Sales usually granted by the Council, it is not to be questioned but that the Council would be able to realize more than the amt of your Memorialists' Bonds.

All these matters are therefore respectfully submitted to the Consideration of your Lordship and of the other Honorable Members of the Council by your Lordships most obedient & humble servant
Signed J. G. G. Pres. Student,
J. G. G. Student.

Toronto 17th October 1841

The following is a Copy of the prices offered by Mr. Padenham for the 600 acres & value by him in January 1841 — previous to their being offered to the Council —

1st Con. in the 5th Con of 610 300 acres & value at 20s per acre paying 1/4 down and the balance in 10 equal annual instalments with interest — £3000 —

The west half of lot 10 in the 6th Con. of the
 100 acres at 10^{cts} per acre - £ 100 - -

The west half of lot 10 in the 14th Con. of the State
 100 acres at 10^{cts} per acre - £ 100 - -

The east half of lot 9 in the 14th Con. of the State
 of the East of Main Street 100 acres
 at 10^{cts} per acre - £ 100 - -

Cash price for the first 300 acres 15^{cts} per acre -

" " 2nd 200 - " 10^{cts} -

" " last 100 - " 12^{cts} 6 -

or altogether £ 387 - 10 -

Signed John Radenbush.

The Statement of Accounts of settlement
 as proposed by this Memorial will be as follows.

100 acres of land at the medium sum of the prices
 offered in valuation by the College Surveyor
 and by Mr. Radenbush - £ 410 - -

200 acres in Tax at 10^{cts} -

£ 100 - 13 - 4
 £ 510 - 13 - 4

(contra)

Amount of the Bond - £ 470 - 5 - 9 -

Interest on do to the 14th of May

1841 When the land was first
 offered to the Council and since
 which they have been at their
 disposal - 41 - 1 - 1

Additional Interest allowed to
 Baker - 5 - 10 - 6

£ 516 - 13 - 14 -

Rideau Canal.

Memorandum, 25th October 1841. Mr Adams, Government arbitrator for the Rideau Canal, called at the office to settle the College claims. On talking the matter over with the Bursar he found he was not competent to make any final arrangement - ~~He~~ he therefore proposed to report his views to Major Bolton, who would communicate with the Council. It seems that more of our lands, reserved for Colonel By, have been taken for the Canal than we are aware of - all the lots reserved in Pittsburgh have been taken and the parts of them not used for the Canal have been re-leased by Col. By. These lots were all in arrears to the College for rent. In the other townships they have not taken any of the reserved lots, & therefore are only liable for the damages shown by the diagrams of the College Surveyor. Mr Adams thought these damages would be rated very low for the lands are bad in quality and full fifty per cent of their present value is derived from the Canal being brought through them or near them. For this reason it was his opinion that the College had better receive a compensation in land, acre for acre. He will furnish us with a report of the lands applied for by Col. By - of the lands used for the Canal or damaged by it - and shewing the remainder which may now be relieved from reservation.

From

Toronto 27th October 41J. E. Small Esq^r

Secretary to the University

This Report taken into consideration
 consideration by a Committee
 of the Council on 3rd Decr. 1841
 see C. M. B. L. 261.

Having by order of the Council had
 this Report taken into consideration the Letter of Lieut Col
 Wiles of the 26th of January last in which
 he "Entreats the College Council to authorize
 its solicitor to select such of the securities
 as he may deem amply sufficient to cover
 the amount of Lieut Col Wiles claim upon
 the same, and to submit the same to the
 Council" - With a view to the Councils
 accepting an absolute assignment of
 such approved securities in discharge of
 so much of the debt of Col Wiles as they may
 cover - and having also carefully considered

100
 W. E. Brown & Co.
 for Registrar's letter of 9th Dec 2
 section book p. 215.

The several documents transmitted by you
 on the 1st instant connected with the
 applications of Messrs Wadsworth & Hamilton
 William Harper, 1st Cornhill Esq. de Pont Esq.
 and Col Wm and Mr George Chesbrough And
 having obtained all the information within
 my reach of the solvency of the parties and
 the value of the securities offered —

I respectfully beg leave to report you
 the information of the Council of King's
 College —

minutes of Council
 16 Dec 1843 p. 224

That the Council having consented to
 take security from the Messrs Wadsworth upon
 the Mills at the Humber formerly known
 as Farris Mills for a portion of the debt due
 by Lieut Col Mills to this College the accepting
 of which security is only delayed until the
 Messrs Wadsworth shall have effected an
 insurance upon the Mills against fire in
 the name of the College and which when
 completed will in my opinion be ample

It can be no objection to accepting as
 collateral security an assignment of the
 Judgement for £500 against Wadsworth
 & Hamilton and extending to them the time
 required (1st January 1843) upon the interest
 being punctually paid up, there is no
 reason for accepting new securities from
 Messrs Wadsworth & Hamilton and discharging
 the Wadsworths as to the £500 — which
 would so far as the Council is concerned
 have no other effect than that of multiplying
 accounts, Messrs Wadsworth and Hamilton
 are both in good circumstances and possess
 of valuable property in Toronto — And from
 all the information I have been able to
 obtain I am of opinion that the Judgement
 is quite as good security if not better than
 a Mortgage would be —

With respect to the application of Mr Gambell
on the part of Mr John Harper one of the
Debtors of the Messrs Wadsworth to the amount
of £500. The above remarks will equally
apply - I would recommend that Mr Harper
give a judgment for the amount payable
on the 1st January 1843. to the Council to
be held by them as a collateral security
for so much of the Debt of the Wadsworth the
interest being paid punctually and paid
to the Credit of the Wadsworths.

Mr Harper is a man of large property
and I feel satisfied that the security
I have suggested will be found sufficient
and all that is necessary to meet the
principal object which the Council must
have in view. Viz. The security of its funds.

Upon this subject of the application
of R. H. Thornhill Esq. I am of opinion that
it will be to the advantage of the College
Council to take an absolute assignment
of his property upon Lot Street and discharge
Lieut Col Wells for so much of his debt as the
amount due to Mr Thornhill will cover
which appears from the statement of
Geo. D. Wells Esq. in his letter to the Treasurer
of the 27th inst. to be £342-8-6 altho
in a statement handed me by that
Gentleman it is stated at £353-6-9 and
interest the property having been valued by
Mr Howard at £622-6-0 altho
I am not inclined to place full faith in
his description of estimate even tho
not satisfied, is ample sufficient to secure
the repayment of the debt secured upon it.

Mr Thornhill being permitted to
repurchase the same premises for the
amount due to him upon the usual terms
upon which sales of land are made, is a

Gambell's letter

to the Council p. 225.

see Mr Thornhill's

statement, G. D. B. p. 145.

which will suit entirely with the Council
 Mr. Chandler's opinion. Chandler can see no objection to such
 an arrangement, unless the Council shall
 be of opinion that it will be more advantageous
 to leave the premises at an annual rental
 the rent due by Mr. Bidwell's Estate to Lieut Col Wills
 Mr. Bidwell's Estate proposed by the latter gentleman to be
 offered to the College Council as collateral
 security is stated in the Schedule to be £800

For Mr. Bidwell's proposals
 see his letter, this book p. 199.

It appears by the letters of Lieut Col Wills
 of the 27th of July 1841 - that he would
 advance on the 1st of August following to the
 sum of £1000 - 10-9 - He secured the payment
 of this sum Colonel Wills holds a Judgement
 and execution in the Sheriff's hands against
 and returnable the last of next term being
 the 13th of November next.

To prevent the serious sacrifice which
 will unavoidable result from a sale of lands
 at the present moment Mr. Bidwell proposes
 to give a mortgage upon lots Nos 10 & 20 in
 1st Con of Newboro £400^{also} and the Northern
 parts of lots Nos 17, 18, 19 & 22 in the 8th Con.
 and the southern half of lot No 6 in the
 9th Con. of the Township of Trimsby
 it is not stated what number of acres
 these last lots contain but that they are
 valued at £300 - how far they will bear
 their valuation Chandler had an
 opportunity of enquiring but could easily
 ascertain should the Council concur in
 the proposed arrangement provided the
 security is found to be sufficient, in addition
 to the above security proposed by Mr. Bidwell
 Lieut Col Wills offers to assign the Judgement
 against Mr. Bidwell to the Council - This security
 provided the lands in Trimsby prove to be of
 the value mentioned & are of sufficient opinion
 will be quite sufficient to protect the interests of

the College, the Government standing as a collateral security will enable the Council to compel the payment of the interest at the periods agreed upon. It must be observed however that Mr. Ridout only offers this above security in the expectation of being allowed a term of 80 years, when to pay the principal when the 5th Minute of Council of the 3rd instant the Committee of the Council appointed to carry into effect the arrangements proposed by the several Gentlemen therein named of which Mr. Ridout is one, are limited in the period of time to four years. I think however there can be no doubt that Mr. Ridout will be glad to accept an extension of time for this long period with

at Wm & Mr Geo. Chisholm to the Duke of Coleridge William Reid
his proposal, this book Mr. George Chisholm to the Duke of Coleridge of £203
and 200 which amount Lord Col Wells desires
to be discharged when the Council accept
the securities offered by Colonel Chisholm
I beg to state that it will be necessary Colonel
Chisholm should wait upon me with the
title deeds for the lands offered in security
before I can venture to give an opinion upon
the subject. The notes of Mr James Stirling
for £20. and 5/- payable, the first in July
1842 the other in January 1844. I consider
good, they are only objectionable as not bearing
interest and having a long time to run.

I have perused the Extract from
the Minute of the Executive Council of the
24th of January 1837. Upon the petition of
Lloyd Richardson (Richardson) praying
to be permitted to purchase the lands
contained in a lease from the Crown for 100
acres of land for the term of 28 years from the
25th day of December 1835 in which it is stated
that the Council recommended that he be permitted

Lloyd Richardson.
in propose 6, C.D. B. p. 184.

to become the purchase of the 500 acres, at the rate of \$5 per acre - Cash down -

Indeignment on the 2nd of Sept - 1837. Mr Sumner assigned the premises in question to Lieut Colonel Wells in discharge of a debt of \$1000 with interest due to him and Mr S. C. Patrick. Afterwards by a report of the Executive Council of the 23rd Nov 1837 relating to the same lands. (but whether upon the application of Mr Sumner or Col Wells does not appear) the Council expressed their opinion that the order in Council of the 31st of Jan^y - 1837. permitting Mr Sumner to purchase - not having been completed with us therefore of no effect.

Under these circumstances I beg to refer your former letter of the 10th Feb^y last wherein you recommended a Memorial to the Crown should be presented by the College in order to obtain the grant of the lands to themselves. As in case the Executive Council should decline to recommend such an arrangement I cannot conceive that the interest of the College would be advanced by the procurement of Lieut Col Wells' interest - And I would further state that under any circumstances after the letter of Major Winnett valuing the lands at from \$2 to 7 dollars per acre the accepting of Mr Sumner's proposal to purchase the property at \$3 per acre must be out of the question.

The other property proposed by Lieut Col Wells to be taken by the Council absolutely in discharge of so much of the debt due to him to the College as the securities will cover and which I could in at all recommended to the favorable consideration of the Council, is viz the east half of 66 and 67 in 1st Con of King 200 acres

with a saw mill valued by him at from £800 to £1200 having 80 acres cleared, as it is within my own knowledge that the mill upon this property is not now in use in consequence of the dam having been removed from its over-flowing George Street, I should recommend that it be taken by the Council as a valuation by some of its own officers. Also by this Assignment of a Mortgage on a farm of 200 acres near Hamilton of £500 having a Captain Reynolds has a prior Mortgage on this property for about £400.

Tragedy for £300 on a farm of 200 acres near Hamilton.

The property is said to be valuable and in case a satisfactory arrangement can be made with the prior Mortgage I would recommend the Council to accept the Assignment upon the terms offered, at all events I am of opinion that an Assignment of it should be made as a collateral security.

£8-10th on 3rd King

Fourthly. Lot No 8 in the 11th Concession of Town 200 acres. This lot has been sold to a man by the name of Chamberlain who owes £135 and holds Col. Wells bond for a deed it was originally taken by Colonel Wells in payment for £300 and sold to Chamberlain for £250. It is evident no loss can arise to the College in taking an Assignment of this lot for £125. 4th The East half of the 11th p. of lot No 7 in the 9th Concession of West-Williamburg this lot has been sold to a man by the name of Crisp for £107-10/- of which £50 is due. I am also of opinion that the Council will do well to take an Assignment of this lot.

of 4th 7th in 7 D. Guilford

of 5th 2nd 3rd 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th 21th 22th 23th 24th 25th 26th 27th 28th 29th 30th 31st

Fifthly. The West half of lot No 20 in the 8th Concession which taken in payment of a debt due from Leonard Wilcox and valued at £50. I understand the land is good, and recommend the Council to accept an Assignment. In the schedule of property proposed to be assigned - I also find the East half of lot No 20

of 25. 6th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th 21st

in the 6th

in the 6th Commission of Nathan, mentioned as having been taken from Richard Larkins per 2d and cannot discover the deed ~~mentioned~~ amongst those placed in our hands by George Wetherby and not having been that gentleman's for some time past, & am unable to report my opinion upon this Lot.

Stock of B. U. C. £250

The only other security offered which I feel myself warranted in recommending the Committee to accept is an absolute Assignment of £250 of the Stock of the Bank of H. B. which I believe is at par.

I would however observe that the circumstances of my having recommended the acceptance of but you & the Securities referred to in Lease of Wells in the original Schedule arises from the fact of its appearing upon my consultation with George Wells Esq. that some of these named therein were subsequently paid up, and in consequence of my not having been satisfied as yet with regard to the others to others.

In conclusion I have to call the attention of the Committee to the fact, that up to the present moment they have no Securities of any nature whatever that I am aware of, for the debt due by Lieut. Col. Wells is the Mortgage which was drawn from that gentleman to the College has not yet been repaid, Under these circumstances it is of opinion that final arrangements should be made with a view of the Debtors of Lieut. Col. Wells as are solvent without loss of time.

I have the honor to be
Yours &c
Edw. M. C. Small

To

Sir,

K. C. O. Toronto, 8th November, 1841.

James L. Small Esq.

Vice-Chancellor of the University

C. M. B. 261

I have the honor to enclose for your guidance the Minute made by the Committee of the College Council mentioned in the enclosure to my letter of the 9th ult, on your Report on St. Col. Wells's affairs dated the 27th ult.

I have &c. St. Boys, Bunsar, K.C.

James

Wm. Cosens

Mrs Cosens having been favored with an extract from the minutes of the Council proceedings of the Council of Kings College held on the 3rd Instant when it was ordered that she be allowed a salary of £75 per Annum and an increase of £1 per Annum for the Board of each Resident pupil, from the 1st of Jan^y last - begs to assure the Council of her very grateful sense of their kindness and consideration towards her -

K. C. College Boarding House

October 20th 1841

To

The Hon. C. J. B. Harrison

Sir

Kings College Office Toronto

18th November 1841.

Provincial Secretary W.B.

I am directed to request that you will have the kindness to take an early opportunity after the arrival of the Hon. General to bring under the notice of His Excellency the second provision in the last clause of the XIX Chap^r of the late Session of the Provincial Parliament running thus "And provided also that the" "managements and sale of the said School" "lands shall continue to be conducted by the" "said Council of Kings College until further" "provision shall be made in that behalf at" "any future session of the Legislature"

Which proviso appears to have been framed in error as it supposes that the School Lands have hitherto been managed and sold by the College Council which was

which is dated the 24th
 of Nov^r 1841. Redeemable on the 20th Nov^r 1841
 the interest thereon being payable yearly on the 24th November
 at the rate of 3% for the next two years
 3% Cents for the 3rd year, 4% for the 4th, 5%
 for the 5th and 6% for the 6th and 7th year
 L. 697-10-1

Bank of N. Canada
 17th Nov^r 1841.

Signed Thos^d Ridout
 Cashier.

B. Harrison,

Esq.

A.C.C.T. 20th Nov^r 1841

I am directed to bring under
 your notice the 3rd Clause of the Act
 of the late Session of Provincial Parliament
 Chap^r 118 which Clause runs as follows.

" And he is directed that within 3 months
 " after the passing of this Act the Council
 " of King's College or their Treasurer or
 " Treasurer shall transfer and pay over
 " to the Receiver General as aforesaid
 " all Moneys now due and sums
 " now owing from any funded
 " arrears of interest which may have
 " accrued thereon and he is directed
 " to do so under the authority of this Act
 " hereby enacted by the said Council
 " or Treasurer no amount of the Bonds
 " or the proceeds of the sale of School
 " lands aforesaid to be &c &c —

And am desired to request that you will
 be so kind as to submit to His Excellency
 the administrator of the Government.

Chancellor of the University whether it
 may not be advisable for the College Council
 to wait his decision on the point submitted to
 him in my letter to you of the 18th Nov^r before
 carrying the said Clause into effect?

I am &c

Signed J. H. P. M. D.

To request that your wife convey to the Committee of Kings Council appointed to report on school lands, and to their Chairman the Honorable J. M. Canby, the expression, of this Galleries thanks for the great care and attention they have bestowed in investigating and reporting on the school lands.

I am further to call your attention to the 1st clause of the Statute passed 10th Sept 1st which requires the Kings Council or their Purveyor or Treasurer within 3 months after its passing to transfer and pay over to the King General All. Obligations and accounts, and some of money arising from any expended arrears of subjects which may have accrued thereon.

Yours &c.
Signed, A. D. B. D.

(Copy of a Report of the Committee of the Executive Council of the 14th Dec. 1811. Approved by his Excellency the Administrator of the Government in a Letter from the Purveyor of Kings College requesting instructions on the subject of the sale and management of school lands under the Prov. Stat. 4 and 5 Vic: Cap 19)

The Committee of Council have had under consideration, a Letter from the Purveyor of Kings College requesting instructions on the subject of the sale and management of school lands under the Prov. Statute 4 and 5 Vic: Cap 19 and representing in effect that altho the act provides that the management and sale of the said school lands shall continue to be conducted by the said Council of Kings College, until further provision be made, in that behalf at some future session of the Legislature yet in fact the said lands had never been

as arranged or sold under the direction or
superintendence of the Kings College.

By the Provincial Statute 6th Vic:
Cap 16: The funds arising from the sale of
school lands were placed in the charge and
management of the Kings College Council
and certain powers were given that body
in the disposal of the yearly proceeds of
the sale invested funds but by the Statute
first above mentioned these funds are
directed to be restored to the charge of the
Revenue Council and all powers of disposition
taken away from Kings College and certain
powers of the same nature are vested in
the Executive Government.

During the time in which the
Council of Kings College had the custody
and charge of the funds arising from the
sale of school lands - a Committee of the College
Council with the Hon^{ble} John Simon Macaulay
for its Chairman laboured with great assiduity
and success in restoring to order the accounts
and in exhibiting a clear and regular
statement of the condition of the school
funds and the Committee were convinced that
the Government with great pleasure in
acknowledging its obligation to Mr Macaulay
for the ability and care with which he
pursued this difficult investigation and
for the satisfactory manner in which
he showed the result of his disinterested
labours.

The sale of the school lands has
two or three years conducted by Agents formerly
appointed during the continuance of the
Board of Education, but without any system
directed by the Government or control exercised
over the acts of the Agents - No Department
of the Govt was in charge of this important

Branch of Revenue, Appropriated for Education and altho the want of Representative superintendence was always sufficiently felt such was the difficulty of acquiring an accurate knowledge of the state of the sales and amounts that an inquiry and report such as the one conducted in the Council of Kings College was deemed to be necessary before the management of the School Lands could be transferred, with advantage to any Office of the Government.

Under the misapprehension mentioned in the letter of the Bursar of Kings College - The Legislature desirous no doubt that no change should be made in a mode of sale and management which was supposed to be in existence until the same should be permanently settled, provided for the continuance of the sale, and management of the School Lands by the College Council whereas in fact these matters were never placed in charge of that body.

The Committee of Council are of opinion that as the Executive Government have the only charge of the disposal of the funds and as these are in the hands of the Revenue General and as moreover it is highly convenient that all public lands should be disposed of in one department the most advisable course would be to place the schedules furnished by the Kings College in the hands of the Commissioner of Crown Lands with instructions to attend to the sale and management of these lands and to the receipt of money due on former sales. And with the further restriction to adopt the regulations lately made and approved by her Majesty in Council for the

the sale of (Crown) Reserves as applicable to the School Lands and the disposal thereof. And further that the sales and receipts be managed by the Commissioner and his Agents in the Country without further fixing the services of the former agents for the sale of School Lands.

The Committee further recommend that the Provincial Secretary for the Western Division of the Province do see this order carried into effect.

Certified

Signed J. M. A. Lee.

20
J. M. A. Lee Esq. Sir

H. C. C. F.

21 December 1841

I have the honor to acknowledge the receipt of your letter of the 17th inst. containing a report by the Committee of Council on the subject of the Grammar School Lands which shall be communicated to the College Council and its Committee at their next meeting.

Your letter also refers to the 3^d Clause of the Act on the 1st School Lands and answers a point on which I yesterday applied to Mr. Harrison for instructions superseding the necessity of any further notice of my said application. I shall this day write to the Receiver General and arrange with him the manner of transferring to him the 1st School funds.

I have &c.

Signed H. Boys

To
The Recorder-General Sir

Kings College Office Toronto
24th Dec 1841

I have received Instructions to
pay over to you the Grammar School funds
now held by the Council of Kings College in
compliance with the 3rd Clause of the Prov.
Statute 4 and 5 Vict: Cap: XIX.

These funds consist of the
Prov: Schoolmoneys received from you on the 14th Apr:
3rd June and 19th of June 1840 amounting to £14359-
with accrued interest amounting to £1439-16-
of this latter sum £1000- is invested in a Prov:
Bonds -

I request you will empower some
person to receive this money who may deliver to your
Receipt for it in duplicate and I enclose a set
of Receipts for your signature should you approve
of the form. if not they will enable you to frame
one more suitable

I have the honor &c
Signed H. Boyd.

Receipts enclosed in the above letter.

Particulars of the 1st School Funds

Prov: Schoolmoneys	Location	Amount	Total
No 7	Wm. Jones	400-0-0	
8	"	100-0-0	
198	Burlington Bay Canal	333-6-8	
230	"	250-0-0	
251	"	250-0-0	
354	"	83-6-8	
355	"	83-6-8	
35	"	666-13-4	
98	"	833-6-8	
201	"	333-6-8	
94	Little Creek	3000-0-0	
195	Burlington Bay Canal	666-13-4	
442	Shannon Bridge	119-13-4	
243	"	119-13-4	

Prov. Accounts	Service	Amount	Total
No 444	James Bridge	119-13-4	
445	William Canal	2000 - - -	
31	Burlington Bay Canal	1000 - - -	
32	" "	1000 - - -	
33	" "	1000 - - -	
416	Quebec Road,	2000 - - -	14359 - - -
	Amount Subject		
No 446	Hamilton & Brantford Road	1000 - - -	
Cash.		439-16 - -	1439-16 - -
		King's College Office Toronto	£ 15798-10 - -
23 rd December 1841 -			

Signed H. Doy

James K. C.

Received from H^{on} Doy's Pension of King's College the above sum of Fifteen thousand seven hundred and ninety eight Pounds & fifteen Shillings of State & to be the Amount of the Normal Grammar School Funds now transferred to and from the College Council pursuant to the 3rd Clause of the Provincial Statute 4 and 5 Vict: Cap XIX.

Wm. D. Thompson

King's College Office

Toronto 6th Jan^y 1842

I have the honor to enclose an extract from the Canada Gazette of the 1st Instant by which it appears you are appointed a member of the Council of this Corporation, and I am directed to inform you that the Council is summoned to meet at this Office at 2 o'clock tomorrow the 7th Instant when you will have an opportunity of signing the Declaration and putting your name to it. I need not add that your presence is very much desired tomorrow to receive a power of attorney required for the transaction of business.

Signed H. Doy

Per

as found in the preceding letters

Extract from the Canada Gazette of the 1st Aug
1842.

Secretary's Office, Kingston
27th December 1842,

The Government has administered of
the Government has been pleased to appoint
the Hon. Mr. Howard a member of the
Council of Higher Colleges, under the provisions
of an Act of the 11th of William 4 Chap 10 in place
of the Hon. Mr. Timson now a member of
of the House of Commons as Speaker of the Legislative Council

A true Copy

signed J. A. Dwyer

Secretary of the C.

To

Sir,

K.C.O.S. 27th Jan 1842.

I have the honor to enclose a copy of the minutes
of the proceedings of the Council of Kings College at their
meeting held yesterday for the purpose of its being submitted
for the information of His Excellency the Governor General
Chancellor of the University.

I have the honor to be

Yours truly

Executive Council of the

Kingston, 27th Jan 1842

From

Wm. A. Dwyer Esq.

Sir

I have the honor to inform you
that a warrant in your favor on the Receiver Genl.
of the Province for the sum of £ 800 - 8 - 4 sterling
(being the subscription in aid of N.C. College
from 10th of February to 31st December 1841 at the rate
of £ 1000 - 0 - 0 per annum) has been forwarded to the Rev.
Messrs. A. & T. Dick Esq. & Co. who are lying in this office
and will issue on your or your authorized Attorney
applying for the same.

I have the honor to be
Yours truly
Wm. A. Dwyer

Secretary of the University

16th June 1842

I have the honor to transmit herewith a warrant under the hand and seal of Sir R. C. Jackson as Chancellor of King's College appointing the Rev. J. P. Thompson a member of the College Council in the place of the Rev. J. P. Thompson who is a member of office as speaker of the Legislative Council.

I have the honor to
 remain Sir your Obedient Servant

Province of Canada

To His Excellency Lieutenant General Sir Richard
 James Jackson - K. C. B. administrator of the
 Government of the Province of Canada &
 Commander of the Forces in British N^o
 America &c &c &c

to the Honorable Louis Peter
 Sherwood and to all to whom these presents
 shall come -

Greeting

Whereas by an Act of the Parliament
 of the late Province of Upper Canada passed
 in the 10th year of the reign of His late
 Majesty King William the 4th entitled an
 "Act to Amend the Charter of the University
 of King's College" It is among other things so
 expressed that the Governor, Lieutenant Governor
 or Persons administering the Government
 of the Province for the time being shall have
 power as Chancellor of said College to appoint
 a fit and proper person to fill up any
 vacancy in the College Council and that the
 number of the said Council shall be twelve
 in number of whom the Speaker of the
 Legislative Council for the time being shall

be one - You know that having con done
in yourovable integrity and ability I Sir
Richard Howard Jackson M.C. B. Administrator
of the Government of the Province of the Province
as per Chancellor of the said University of
King's College for the time being in virtue of
that power and authority is now vested by the
Royal Charter establishing the said College
and by the provisions of the said important
acted act have constituted and appointed
and he there present do constitute and
appoint you the said James Pelton Sherwood
to be a Member of the said College Council in
the place and stead of the said William Thompson
Barrister at Law Speaker of the Legislative Council
of the Province and being in virtue of that Office
a Member of the said Office -

Given under our hand and seal
at Kingston this twenty seventh
day of December in the year of
our Lord one thousand eight
hundred and forty one in the
fifth year of Her Majesty's
reign -

By Command and
signed W. H. Wilson
Secretary.

Signed R. H. Jackson -

Hilary Dupuy Esq. Mem^o 15th Jan 3 1842. Delivered to the Cashier of the Bank
of Upper Canada a Power of Attorney (in duplicate) from
myself in favor of Hilary Dupuy, Esq. authorizing him to
receive from the Receiver General £890. 0. 4 Sterling being
the appropriation in aid of Upper Canada College from 10 Feb^y
to 31st Dec^r 1841 at the rate of £1000 Sterling per annum.

Dear Sir
 I have the honor to transmit
 you herewith my remittance for the 31st
 of December last. I have the
 honor to be
 Yours M^{de} Male

University of Virginia College.

1841. — H. J. James to Sarah. Calicut. 10/11

Meeting Mr. Turner & consulting him
several times upon the subject
of his removal to the Village Council
to assume his duties to Lake Mills
and take his departure on the
1st of Nov. —

" " (Monday) 1892. The Western, from the
carnes northeastward to obtain better
heads better land in question " - 3 - 4 -

N^o 16 Examining bottle used & death
Opinion 1-3-4
Taken at New York. Same - " N-P

Aug 14 Passage of letter from Bureau for
Opinion. Bureau passed of 11-4
to John Bishop from John Farr " - 2-3
Examining same and drafting
therein thereon 1-3-4

John A. Lea And forwarding same — " 11 P

(Oct 11) Boat to Bussan on the result of the
trial with the Newcastle Arizos 2-6

Examining Documents upon the
Subject of Woodsworth & Hamilton's
Proposal and attending and con-
sulting Mr. Gamble thereon — 11-8

the Long St. Church on 17th Apr
 1861. Composition and engraving
 on the circumstances of this
 case. " 6-8

by receiving Noble Birds and boarding
into the title of R Hornbills Esq " 11-8
Also giving Mr Padgett for information

upon his deposition in consulting
with him

- Oct 11th Answering Mr Geo Wall's copy consulting
with him upon the subject of
Col Henry M. The (Christians Hall) 1-8
- 23 Drafting opinion on the foregoing case
of Hobbs 1-10-
- Copy of the said forwarding same
for an opinion 1-10-
- Nov 23rd Amount of Costs stayed in case
of Hobbs 17-17-9
- Also on file in same case
to my expenses in going to, attending at,
and returning from the New Castle
Prisons give name 1-10-
- Dec 2 Postage of letter from W. B. Birdsell 1-1-9
- " Letter to Bureau remarking upon
and enclosing the above 1-2-6
- 3 Letter and opinion to Bureau upon
selling land in Canada to
the United Committee for F. Street
a location 1-3-4
- Also copy and forwarding same
to the Secretary of the Government 2-10-
- Costs on judgment in suit as to letter 1-1-2
- 10 Amount of Costs stayed in case
as to Patten 34-8-
- " Also on file in same suit 1-10-9
- " Letter to Registrar of Federal District for
information respecting Parker
and conveyed to Col Wall 1-3-9
- " Postage in answer after search of 1-1-10-2
- " Letter of opinion thereon copy & attending 1-3-4
- 27th Anya College vs. Abiram Monroe costs
laid on entering judgment 27-12-2
- " Also on file in same case 1-10-9
- £ 107-12-8p

Account 31st December 1841

signed Jas E. Smith
Clerk

To

Sir,

K. C. O. Toronto, 7th Feb^r 1842.Custies of Bank of
Upper Canada.

I have to request you will receive into the Bank of Upper Canada, for safe custody & management, the enclosed Welland Canal Debenture, No 11, for £150, currency, dated the 24th Nov^r last. — and will trouble you for the usual acknowledgem^t at your convenience. I have &c. W. B. Bower, K. C.

The
Hon^{ble} Secy^{ry} of the
Bank of Upper Canada.

Bank of Upper Canada
Toronto 8th Feb^r 1842

I have received your letter dated the 24th Nov^r last & in answer to the same I have to inform you that the purchase of the Welland Canal stock from the Welland £150 — — — — — for safe keeping and management which I have entered to the amount of the Council of Kings College charging as usual 1/2% in the entry in the sum of 7/8 and now enclose you my certificate of lodgement.

Signed J. H. Bower

This is to certify that the Council of Kings College has this day lodged in the Bank of Upper Canada for safe and keeping and management in the name of the Council of Kings College — No 11 issued to the Trustees for the purchase of Welland Canal stock on account of the purchase of Canada One hundred and Fifty Pound Currency — — — — — redeemable 24th Nov^r 1841. being 20 years from the date 24th Nov^r 1841. The interest thereon being payable yearly on the 24th Nov^r at the rate of 3% for the 1st 2nd years 3 1/2% for the 3rd 4th 5th 6th 7th 8th 9th 10th 11th 12th 13th 14th 15th 16th 17th 18th 19th 20th years following —

No 11 — £150 — — — — —

Bank of U. C.
Toronto 8th Feb^r 1842.
Signed W. B. Bower

From
Sam Harris

Sir,

Indian Office

London 5th July 37.

The Clerk of the Executive Council has transmitted to me the copy of an order in Council recently made, in reference to a tract of land consisting of 1205 acres in the Township of Brimford formerly leased by the Crown to Lloyd Richardson Esquire, and I am also informed through the same Channel that a copy of that order has been communicated by this day's post to the Kings College Council at Toronto.

I find on examination that the amount which will be due to the Indian Department if paid on the 31st of this month is two thousand one hundred and eleven pounds seven shillings and two pence Halifax currency viz -

£ - 1 year & 27 days rent for the 23rd Decr 1835 -

to 31st Decr 1837 - £ 40 per annum £ 40-0-0

Value of 1205 acres @ £1-5/- C^{ts} per acre - 1581-5-0

5 Years & 1 month interest from 21st July

1837 to 21st Feb^y 1842 - - - - - 482-3-7 1/4

Making the total

£ 2111-17-2 1/4

Upon the payment of this sum which may be done by depositing the same in the Bank of Upper Canada, to the Credit of the Indian Department - for which the Cashier of that Institution will give you an acknowledgment - or by remitting it to the Com: of Crown Lands, as a payment specifically for the purchase of the aforesaid 1205 acres of Indian land a Patent will be immediately prepared for the same in the name of the Chancellor President & Scholars of Kings College at Toronto -

I have &c

Signed Sam Harris

Report
relates to in the
Hunting letter.

(See a Report of a Committee of the Executive Council dated 31st January 1842 and approved by His Excellency the Governor General on 31st of the same month)

On the Memorial of Robert Johnson, late Lieutenant Colonel Mills that letters Patent may issue granting to the Chancellor President and Scholars of King's College in Toronto (now their successors) 1255 acres of Land in the Township of Brantford - originally leased to Lloyd Richardson and on a communication from the Secy of Crown Lands transmitting a letter from the Chief Superintendent of Indian Affairs, with the Proposal of Robert Russell Barne for the purchase of the said tract of Land.

The Committee recommend that the sale be completed and a Patent issue for the 1255 acres to the Chancellor President & Scholars of King's College on the following terms, first that the amount of Rent upon the land granted to Lloyd Richardson up to the 31st of January 1837 be forthwith paid

second That the price of One Pound Five Shillings per acre with Interest from the 31st January 1837 be also paid down.

Certified

Wm. A. Lee.

Wm. A. Lee
Secy. of Crown Lands

Sir,

Toronto - 1st July 1842.

* The above is the Minute referred to in this letter -

I have the honor to transmit certified copy of a Minute of the Executive Council & approved by the Governor General recommending that a Patent issue to King's College upon terms therein specified for the 1255 acres of Land in Brantford specified by Mr Johnson and myself for the redemption

of a debt due by us to the Honorable Lieut Col Wm,
and to request that you will be pleased to carry
into effect the Provisions of that order with
as little delay as may be -

I am &c

Signed J. E. Patrick

To
John Davidson Esq
Comr. Crown Lands. Sir

King's College Office
Monte 11th July 1842

the original of this letter
placed with the vouchers
to the Treasurer's cash account
under date 11th Feb 1862.

I have the honor to enclose the
Certificate of the Bank of U Canada of my
having this day deposited to the Credit of
your Public Account Two thousand one -
hundred and seven pounds & seventeen shillings
and two pence - 0⁰ - (£ 2111 - 17 - 2 1/2) which sum
is the amount of Purchase money with arrears
of Rent to 21st Instant on 1265 acres of Indian
Land situated near Brantford originally land
of Lloyd Richardson and by the Report of a
Committee of the Executive Council dated 21st
Jan 1842, and approved by His Excellency
the Governor General on the 31st of the same
month - Recommended to be patented to the
Chancellor President and Scholars of ^{King's College} on terms
now fully complied with, and I have to
request you will oblige me by allowing the
Patent to be made out and transmitted to this
Office as soon as possible

I have the honor -
Signed W. Byrnes -

To
L. P. Jarvis Esq Sir
Chas. L. B. A.

H. C. O. Toronto
11th July 1842 -

In reference to your communication
of the 5th Instant I have the honor to inform
you that I have this day deposited in the
Bank of Upper Canada to the credit of the
Public account of the Commissioners of
Crown Lands the sum of £ 2111 - 7 - 2 1/2 pence

Let James Esq
C. L. S. H.

Being the Purchase money and access
of Rents as you have calculated them on
the 1265 acres of Indian Land in the
neighbourhood of Brantford originally
leased to Lloyd Richardson

I have the honour to
signe J. B. Baye

James S. Small Esq

Mem^o 14th Feb^r 1842. Mr Small this day delivered to me
the crown lease to Lloyd Richardson of 1265 acres of Indian
Land in the neighbourhood of Brantford, with a Diagram of
the property. Which lease I delivered this day to T. C. Patrick Esq
to be transmitted to Mr Lums.

From
The Lord Bishop
of Toronto.

My Dear Sir

February 19th 1842.

Will you have the goodness to summon
all the members of the College Council within reach
to meet this day at two o'clock, my oblige

My Dear Sir,

Yours obt^l humble serv^t

J. B. Baye Toronto.

To Dr Baye, Quebec.

To
Dr Baye.

Sir

Crown Lands Office.

Kingston 16th Feby. 1842.

Your letter of 11th Inst. enclosing a receipt from
the Office of the R. U. C. for £2111. 17. 2 deposited
at credit of this Department, is duly received, and the
Chancellor, President & Scholars of Kings College have been
referred for Patent which will in due time issue.

I am Sir &c

J. B. Baye Davidson.

From
The Lord Bishop of
Toronto

Dear Sir

Will you have the goodness to sum-
mons the College Council for Wednesday at
one instead of two, as I shall be obliged to
have a quanta before 3 for Church

Yrs truly -

J. B. Baye Toronto

Monday Afternoon
21st Feby 1842 -

From
The Lord Bishop of Toronto -

Dear Sir,

I have just received a letter from His Excellency Sir Charles Bagot the Chancellor of the University of King's College informing me that he has been pleased to nominate Mr. H. S. Gassett in the room of the Hon^{ble} John Macaulay resigned to the Council of that Institution -

I have therefore to request you to summon Mr. H. S. Gassett to take his seat at the Board tomorrow at one o'clock

Yours truly
Signed John Toronto

Tuesday Eve: 22nd Feb'y 1842 -

To
Rev^d H. S. Gassett

Sir

H. C. O. Toronto -

23rd Feb'y 1842 -

The Lord Bishop of Toronto President of the University has this moment informed me by letter that His Excellency the Chancellor has been pleased to nominate you to be a member of the Council of King's College in the room of the Hon^{ble} John Macaulay resigned and His Lordship has desired me to summon you to take your seat at the Board this day at the meeting of Council held at one o'clock in the Council room of this office

I have
Signed H. Boys

From
The Lord Bishop
President of the University

Sir,

Copies

Toronto 26th Jan'y 1842

It being my intention to proceed to Kingston as soon as the winter roads are tolerable, in order among other things to prep upon His Excellency Sir Charles Bagot the Gov. Gen^l the necessity of commencing the Buildings of King's College and putting that Institution into immediate operation

The Hon^{ble} the Ch^{of} Justice
placed before Council
19th Feb'y 1842.

it occurred to me that the Judges of the Court of King's Bench as Visitors of the University might feel inclined to co-operate with me in promoting so desirable an object -

I am requesting you to place before the Judges the enclosed representation which I feel it my duty to make to his Excellency Sir Charles Bagot the Chancellor - I do not expect them to identify themselves in any manner with its details & sentiments for which I hold myself entirely responsible but I desire to make them ~~aware~~ aware of the course I intend to pursue and shall be happy to receive their countenance and assistance in the way they may deem most proper -

I have the ve
respected
Yours
John Toront.

The Court the Judges of
King's Bench -

Reply

Montreal 21st January 1842

Placed before Council
19 Feb 9 1842.

We have read a copy of a letter addressed by your Lordship as President of King's College to His Excellency the Gov. Genl. urging the immediate adoption of measures for bringing the University into practical operation. Which letter has been laid before us by the Chief Justice with the note addressed by your Lordship to him expressing a hope that the Judges of the Court of Queen's Bench being Visitors of the University may feel inclined to co-operate with your Lordship in promoting so desirable an object -

We thank your Lordship for this communication and without reference to the past difficulties which have hitherto interposed we heartily join your Lordship in the expression of the wish of the Long Suffering of University may be organized without further delay We hope that a consideration of this very

important subject may lead His Excellency the Governor General to the conviction that no time should be unnecessarily lost in proceeding to establish the proposed means of learning a measure which has hitherto been unfortunately protracted and which we have no doubt looked forward to by a large portion of the Public with much anxiety.

We are happy to learn from your brother's letter that the state of the College funds will admit of an immediate beginning and feeling deeply how much has been hitherto lost by delay we beg your Lordship to add this expression of our opinion and wishes to such representations as you intend to make and it would indeed afford us great satisfaction to find that any weight which may be attached to our sentiments on account of an official connection with this Institution shall assist in forwarding an object which we are persuaded cannot be looked upon with too much interest.

We have the honor &

Yours, Sir,
 J. B. Robinson
 J. B. Manley
 J. Jones.

Mr Justice McLear happens to be absent from Toronto otherwise I am sure that he would heartily unite with us in the wish which we have expressed—

His Excellency the
 Chancellor—

Toronto 26th Jan^y 1842

referred to in the preceding letters
 should have been sent by Feb 5th 1842

The nature of the subject on which I take the liberty of addressing your Excellency will I trust sufficiently excuse me for intruding upon your Excellency so soon after the commencement of your

your administration which for the sake of every Public Student's Security, hope may be less hasty than those which hasty decided it -

It is our desire to bring under your Excellency's consideration as early as circumstances may permit the present situation of affairs as regards the proposed University of King's College - Not doubting that your Ex^{cy} will feel and readily acknowledge the great importance of removing all obstacles to its being brought into active operation with the least possible delay -

Assuming that Your Excellency has not yet had an opportunity of informing yourself of the circumstances connected with this Royal foundation, I beg leave to state them briefly and shall have much pleasure in furnishing any more detailed information which your Excellency may desire -

It has probably come under your Excellency's notice even in the short time of your residence in Canada that a Collegiate Institution in direct and of close connection with the Church of Scotland is on the point of commencing the business of instruction at Kingston and that another connected exclusively with the Methodist Society has been for some time open at Cobourg in this Province both possessing Charters and the power of conferring degrees given in the one place by the Royal authority and in the other by an enactment of the Provincial Legislature -

It can scarcely fail to excite surprise as well as regret that no similar Institution - connected by the same ties with the Church of England, as yet in operation in Canada - nor any in fact from which its members are not positively and in terms excluded so far as

regards and share in its Government, or in the
Office of Trustees - Considering that the Religion
of the Church of England is the national Religion
of the Empire with the exception of Scotland
that her members are very numerous in
all parts of the Province - Amounting in this
City alone to more than 1000 - and that they
must be admitted to possess even a greater proportion
than their numbers would indicate of the wealth
and intelligence of the entire Population, it
might naturally have been expected that those
within her pale would have seen the first and
not the last to enjoy the opportunities of
instruction in the Doctrines of their Religion and
in the higher branches of Learning -

That this fact is otherwise is owing
to circumstances the force of which can perhaps
be scarcely appreciated even after so short
an interval by any one who has not been
a Witness on the Spot to the events of the last
few years - The Fault has not been with
the Government in neglecting at an early day
to bestow their attention upon this most impor-
tant subject - for your Excellency will find
among the very earliest acts of the Colonial
Government, honorable proof of their anxiety
to lay the foundation of such an institution
as those which in the Mother Country have so
nobly contributed to the preeminence of her
people in all that constitutes the glory and
prosperity of a State - The suggestions which
were forwarded from the Gov^t and Council of this
Province so very early as 1796 & 7. were powerfully
and warmly seconded by the Secretary of State
and a large tract of land was set apart
to form an endowment for an University
as soon as the circumstances of the Colony
might admit of its establishment

That period nearly 30 years
were

of the Govt in England in the actual establishment of an University according to the original design.

The British Government had not long before contacted with an Association formed in London called the Canada Company to sell to them the Crown Reserve in Upper Canada by which was meant those reserved lots being in the proportion of one seventh of the lots in each Township which had been reserved by the Government for future disposition in conformity with the Royal instructions, regulating the grants of Land, and in this sale to the Company such of those reserved lots were excepted as had been leased in the mean time to Applicants as many of them were for the term of 31 years. The lots thus withheld from the Company comprised rather more than 326,000 acres and being dispersed through the several Townships were more valuable land could with ease certainly be made available for producing as it and than those could which had been set apart for the University.

It was therefore proposed by Sir Ruggie Pritchard to the Secretary of State that the Crown should appropriate these reserved lots to the support of the contemplated University in lieu of an equal amount of the lands originally intended for that purpose - that a Charter for the University to be called Kings College should issue without delay under the great Seal of England and that measures should be taken within the Colony for bringing the institution into operation as speedily as possible.

I have been engaged many years in the Education of Youth in Upper Canada and I may venture to say not without very gratifying success, and his Excellency did me the honor to commit to me the task of soliciting and moving forward the Charter in

England —

Lord Bathurst, whose memory I shall ever hold in the highest respect, entered warmly into the measure — which this Lieutenant Governor had recommended and in that noble spirit, and with those practical views that I feel perfectly assured, that if his Lordship had continued to hold for 3 years longer the reins of the Colonial Department this Province would for many years past have been in the enjoyment of means of instruction inferior to none on this Continent.

This Charter was completed in April 1827 not without some months delay occasioned only by the scruples felt in England on the part of the Government against granting a Charter so open on its character as I felt it would be desirable to make it having reference to the varied population and the state of Society in Upper Canada in granting a Royal Charter for a College which was to confer degrees in the Arts and Sciences and more especially in Divinity it was deemed necessary to refer to his Grace the Archbishop of Canterbury and notwithstanding the prevailing disposition of His Grace and of the Government to concede all that was just and reasonable it was not without much difficulty that I succeeded in obtaining a Charter so compact and so liberal in its provisions that none of a character so liberal had ever passed the Seal of Great Britain for a similar purpose.

I take the liberty of enclosing to your Excellency a Copy of it as it originally issued and your Excellency on perusing it will find that while it was clearly and properly intended that the University should be a body in connection with the Church of England yet no restriction was to be required of Teachers or Scholars — with the

single exception obviously unavoidable that
 Graduates in Divinity must ^{the articles of the Church} subscribe, and
 that the Arch Bishop of York was to be
 President, ~~the other~~ Professors might have been
 members of any Religious Community
 whatever and so might those whom the
 Institution was to receive and instruct.
 The only connection which the Charter pre-
 scribed with the established Church was
 that Promise which I have mentioned in
 regard to Degrees in Divinity and the fur-
 ther provision that the Members of the College
 Council who were to regulate its affairs and
 prescribe its regulations were to subscribe the
 Articles of the Church - The intention of this no-
 doubt - was to exclude religious dissension and
 rivalry in the management of the College and
 to afford to Parents an open and certain
 security that one form of religion was to be only
 and one faith ^{religious} would be maintained and
 inculcated within the walls of the University
 while its means of instruction would be open to
 all -

The Charter was received in this
 Province while Sir Peregrine Maitland was
 still in the administration of the Government
 A Council was immediately organized &
 measures taken for procuring the most
 eligible site for the College and deriving
 such an income from the land as might
 soon make the institution productive of those
 inestimable advantages which were reasonably
 to be expected from it -

Fourteen years have not
 elapsed and to this moment no other benefit
 has been derived from it than that its funds
 have been made to support another Institution
 highly useful certainly but which might
 without difficulty have been otherwise provided.

for and which like other similar Institutions
confining its instructions and to mathematics
does not profess to teach any of those other
branches of Science which are acquired in the
halls of our Universities, and which are necessary
to qualify youth for the learned professions and
to complete the education of a scholar -

In that period I need not say how
many scores of young men of promising talents
may have entered upon their career of life, and
have taken part in the public affairs of this Country
without those superior qualities of the mind and heart
which the best means of instruction are most likely
to supply - Nor can it be said what a disadvantage
it may prove to the future fortunes of this growing
Country that such foundation has not been laid
even at this advanced period of her Progress.

Your Excellency I dare say is in
some measure aware of the impediments which
have been allowed to prevent the Charter being
acted upon, whether they ought to have been suffered
to have that effect it can serve no purpose to enquire
now for the past cannot be recalled and your
Excellency is happily relieved from reverting to con-
=tentions which were painful while they lasted and which
it is much to be desired may not be renewed - I will
therefore only state in a few words that the Charter
which in England was with difficulty conceded on account
of the religious Character of the College being insufficiently
defined - was objected to in this Colony by various Sects
and by many who did not profess to belong to
any Church and chiefly by popular Leaders in
the Assembly as being illiberal and exclusive
in its Character - Recent events and the present
position of some of those who took the most prominent
lead in the attack upon the College have thrown
light upon the object of their opposition, if indeed
it were possible any sound and intelligent
persons upon the spot could have had doubt

admon that point. It is not a new discovery in public affairs that those who aim at the gratification of a Criminal Ambition, can only expect to succeed by prostrating whatever is most sacred and best established in Government and Religion —

The British Government willing as it has appeared to purchase tranquility at almost any sacrifice, showed early a disposition to entertain objections against the Charter which the Crown had granted and as the Lieut Governor of the Province was made by the Charter — Chancellor of the University, and his concurrence was necessary in the several arrangements which were indispensable before the Institution could be opened. The hesitation of the Secretary of State formed an insuperable barrier to the Council proceeding.

After some years of discussion, it was proposed to the College Council by the Secretary of State that they should surrender the Charter in order that the Crown might grant a new one of a different character. I enclose to your Excellency a copy of the answer which the Council thought it then only to give. The Provincial Legislature were afterwards invited by the Gov^t to alter the Royal Charter by a Colonial Act — a general disposition was felt to arrive at some conclusion which might admit of the Province receiving the benefit intended by the very munificent endowment which the Crown had granted and the Act was passed of which I send your Excellency a copy. It did not seem to the Legislative Council to be consistent with usage and Constitutional forms and principles that a Colonial Legislature should pass an Act wholly altering the Provisions of a Royal Charter issued under the Great Seal of England, and they ventured respectfully to address His Majesty suggesting that the same object might be accomplished by a less questionable proceeding, but the course which

had been recommended was sanctioned and confirmed as regular, and the Bill was amended to add its provisions from the present Charter of King's College.

If those judges it was desired to see this Royal Foundation maintain its religious character according to its original Charter; it is fortunate their opinion has been overruled, though it cannot be otherwise than entitled to respect, from its being in accordance with the system long cherished and maintained in all parts of the United Kingdom. If they were right in their views it is only to be regretted that without the support of their Government, they found themselves unable to sustain them and certainly not against its decided opposition — and it is not unworthy of remark in connection with this interesting subject that during the many years this dispute lasted this Seminary called Upper Canada College founded by Sir. John Colborne, now Lord Seaton has been conducted almost without exception by Masters who are in orders of the Church of England and graduates of the English Universities from the day of its first opening a Clergyman of the Church of England has been its head, for some years the four Masters were all Clergymen of the same Church — There are now six Masters four Masters of whom three are in Holy Orders and the other a member of the Church. The Scholars supported from public funds and is judicious and without scruple or jealousy resorted to by children of Parents belonging to every religious denomination the Anglican Catholics Methodists Presbyterians and various other sects — and so I am persuaded would it have been with King's College if it has been unhesitatingly carried into effect — upon the principles upon which it was founded and conducted as it certainly would have been in that just and liberal spirit

which in the present age is necessary to the success of every great undertaking and which is best secured when the elements of division and dissension are excluded by laying down and acknowledging a uniform system and steadily maintaining it.

That this conviction must be nearly universal among thinking men I can hardly refer to a more striking proof than the state of things to which I alluded in the beginning of this letter.

The Church of Scotland and its members in this Province were among the earliest and most strenuous assailants of the Royal Charter as unfriendly to civil liberty and religious and inexpedient in its provisions. They were warmly supported in their attack by large bodies of the Methodist Society, and no sooner did these two religious Societies succeed in compelling such an alteration of the Charter as wholly deprives King's College of any acknowledged religious and consequently of any security in respect to the doctrines which may be taught there, than they have set themselves actively and energetically to work in obtaining from the Govt and from the Legislative Charters for the foundation of two Colleges in such strict and exclusive connection with their respective religious denominations that not only the Govt of each College but the whole business of instruction to be carried on within it is required to be absolutely in the hands of those who declare and subscribe themselves members of the one religious Society and your Excellency will perceive in how decided a manner it is provided that not the members of such Church only but the Clerical members of it shall control and govern

the whole -

The term liberal in the sense now frequently used seems to mean little else than the absence of wholesome regulation and restraint. But so far as it may be applicable to this subject it is certainly inadvisable. That the original Charter of Kings College which the Members of these two religious Bodies decided as exclusive and intolerant is beyond comparison more liberal than those Charters which have since themselves applied for and obtained for similar purposes and surely when they petitioned for such Charters as they have granted to them they gave the most unequivocal evidence that in their conviction at least the welfare and harmony of such Institutions could only be insured by founding them in a good and strict connection with some known form of religious doctrine and worship. In other words they have acknowledged that the objects which the slight restraint in Kings College Charter was meant to secure was reasonable and necessary and ought to have been guarded by more substantial and effectual conditions than that Charter contained.

They may answer that these Institutions not endowed by the State but supported wholly by the private contributions of the Members of their respective Bodies. But in the first place the fact is not so. They have little applied for and one of them has obtained assistance from the Public Revenue of the Province, and it is remarkable that the adherents of the Church of Scotland after leading the way in the attack upon Kings College actually pressed upon the Government an application

for a portion of the annual income destined for that university to be applied to the support of their Institution in which no subject to the Crown not being a member of that Church could have any concern either as a Governor or Teacher. But if they could say truly they had neither applied for or received any support from the Public Funds I do not see that the force of the inference to be drawn from their conduct as contrasted with their former Complaints would be in any degree lessened for if when all depended upon their own work and was within their own control they desired to have their College founded in exclusive union with their single Church it much in justice to them be presumed that they considered that such a desire was both reasonable and judicious. And surely they cannot mean to insist that the Sovereign alone should be disabled from founding an Institution for turning upon sound & safe principles on that the national Church of the Empire is the only religious Community whose worship & doctrines should be looked upon with jealousy and distrust.

Nevertheless such is the relative position that the Church of England at the end of what I have always looked upon as an most unreasonable controversy finds herself placed.

It was not my intention when I began this letter to enter so fully into the statement of what has passed in relation to King's College but I have been unsensitively led on by the interest which I feel in the subject and which your Excellency I trust will excuse on account of my early and particular connection with it and I have been in some measure influenced by

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This consideration that such a retrospect was
necessary to place the latter in an intelligible
form before your Excellency -

My design was respectfully to
direct your Excellency's attention to King
College in the hopes of leading to an im-
portant practical result and with this
view I pressed to state that the College
Council have since the year 1828 been engaged
in realising a fund from the lands granted
as an endowment - They have governed
themselves throughout by these two principles
which seem necessary for preventing an inju-
dicious sacrifice of their resources -

First - They have sold no lands for a
less price than 25 p^{er} acre - and
Secondly - They have forbore to spend any
part of the Principal of their Funds - Their
Revenue from interest accruing on Purchase
money has been in a great degree absorbed
by advances made for support of the
Public School called Upper Canada College
which has no Charter but is not by an
Act of the Legislature connected with the
proposed University - But they have also
expended a considerable sum in making
such preparations for the University as
I am persuaded your Excellency will think
have been judicious, and not more than
commensurate with the scale required by
the extent of the endowment and by the
future prospects of this already flourishing
and prosperous Colony - A tract in the immediate
vicinity of this City combining every requisite
and advantage suitable for the purpose
a handsome Avenue leading to it from
the City has been formed and planted
and the grounds have been gradually brought
into that state that I think I may venture

to say there is no where upon this continent
any thing of the same kind superior to it
and I doubt if there is any thing equal.

Your Excellency however I trust
will soon have it in your power to judge of
this by actual inspection - This kind of
preparation must necessarily be the result
of time and was therefore fortunately under-
taken at once and in consequence a very
beautiful and in every way appropriate site
is now perfectly ready for the reception of
such buildings as it may be deemed convenient
to erect -

The Council has also devoted much
attention to the plan of the proposed buildings
and have long been prepared to submit
for the consideration of the Chancellor -
Elevations Specifications and estimates framed
by very competent judges persons, from
which such a selection may be made as will
admit of the gradual expansion of accommoda-
tion meet the growing wants and suit the increasing
means of the institution All this and what
ever further information may be required
by your Excellency either in respect to the
past occurrences or the present actual
condition of the Affairs of Kings College I
shall be most happy to lay before you all
with the least possible delay and in as detailed
and precise a form as may be required and
I am prepared to shew to your Excellency
that so far as Funds are concerned there
need be no more time lost in putting the
Province in actual possession of the greatest
benefit perhaps which the Generosity of the
Parent State could have conferred upon
it, not of course in the fullest extent
but in such a degree as shall leave us no
longer open to the reproach of being wholly

without such means of instruction in the sciences as exists in every other Colony and Country of equal population.

After the Charter had been obtained as to deprive it of even a semblance of any defined religious Character. I know not what may have been imagined as a reason for delaying to act upon it. It is probable that the unsettled state of Public Affairs of late years, and the necessity which the Government has been under of giving their attention to the details consequent upon the changes made in the Constitution of the Colony have alone led to it.

But now that things may be expected soon to assume the form of a settled Government. I do most earnestly and anxiously hope that not a moment may be lost in giving what existed to a College in which the Members of the Church of England of this and to have no peculiar interest more at least than in common with others as Governors & Teachers.

I need not say that with a population of 500,000, the Province is ripe for such an Institution that the best interests of the people and of their Government require it. And that it will be a high and gratifying distinction of Your Excellency's administration if it shall be secured - for Your Excellency as Chancellor of Kings College to lay the suitable foundation and call into actual existence a University in which the Youth of Canada may obtain under able and experienced instructors such an education as may fit them for their relations and social duties in a manner worthy of the Country they inhabit and of the Empire to which they belong.

Not a year passes in which I have not the pain of witnessing many most promising young men excellently prepared

for the lectures of a University, by the course of
 tuition in Upper Canada College - departing for
 ever from the halls of Learning and entering
 upon the actual business of life without that
 completion of their education which is necessary
 to store their minds with knowledge - and to
 form their Character as men and to give them
 the right application of that Learning which
 they have spent years in acquiring.

I again pray your Excellency
 to excuse the length at which I have found
 it necessary to address you.

I have the honor to be &c
 &c
 signed / John Toronto

Dear Sir,
 Dear Sir, I have the honor to be &c

H C O Toronto
 30th Feb^y 1842.

I have the honor to enclose to
 you for the purposes of its being submitted
 to His Excellency the Governor General Chancellor
 of the University the minutes of the proceedings
 of the Council of U.C. at their meeting held
 on the 17th of December - the minutes of the last
 meeting held on the 23rd Instant was given to the
 Attorney General - who submitted to His Excellency.

I have the honor to be &c
 signed H. Boys.

Receipt ask? 7th March 1842.

Dear Sir,
 Dear Sir, I have the honor to be &c

H C O Toronto
 1st March 1842

I have the honor to enclose to
 you an extract from the minutes of the pro-
 ceedings of the Council of Trinity College at their
 meeting held on 23rd U.C. - having the 6th
 minute of that meeting for the purpose of
 its being specially submitted to the consideration of
 His Ex^{ty} the Chancellor of the University.

I have the honor to be &c
 signed H. Boys.

Receipt ask? 7th March 1842.

278.

Mr Major Powell

Sir,

F. S. O. Toronto

1st March 1842

I have the honor to inform you that your memorial of the 26th ult was read in the College Council on the 2nd inst. and I am directed to acquaint you that the Council do not see any probability of your being disturbed in the occupation of your apartments, and that your offer of service will be taken into consideration when the University takes possession of the Buildings -

I have &c.

Yours St. Boys.

From
His Excellency Sir Charles Bagot.

Govt House.

Chancellor of the University

Kingston 1st March 1842

Read in Council 5 March 1842. H. Ford,

In looking over a copy of the statement of the present condition of the endowment of finances of Kings College I am struck with the very large amount of Principal interest that appears in arrears.

As the projected expenditure for building may well be defrayed out of this fund it appears to me desirable that no time should be lost in collecting at least sufficient funds to meet payment to become due on buildings and to supply money for the purchase of a library of Geological Apparatus &c and the fitting up of those large accommodations which the immediate organization of the University would render necessary. I have the honor to request your Lordship to bring the subject under the consideration of the College Council. Perhaps the employment of a person who will devote his time to this occupation will be best mode of ensuring success. He might be paid wholly by a percentage on the sum he collected, except in such cases as the Council

might think it necessary to resort to legal over-
-sight proceedings - I have the honor -

Yours
Signed Charles Dwyer.

From
Jas E Small Esq

To Sir,
Toronto 8th March 1842 -
I have the honor to transmit herewith a copy of the Plaintiffs Bill of Costs in the Cause in Chancery - Stewart v. St. Marys College - with a letter received from Mr Turner - my agent at Kingston and would recommend that a deed be at once made to Stewart upon his promise to pay the balance of his instalments due after deducting the amount of the above specified bill - In justice to myself in having advised the Council to defend this action I feel to state that the case as proved by the school books differs widely from the one stated by your agent upon which my opinion was founded.

I have the honor -
Signed H. Rogers.

To Sir
P. J. Turner Esq. to -
Jas E Small Esq.

Stewart v. St. Marys College -

Kingston 14th July 1842

I have signed the Plaintiffs Costs in this suit at £ 23 - 2 - 4 and in compliance with the directions contained in Mr Rogers letter to you have in order to save the expense of a reference to the Master to settle the instalments and interest remaining due to the College - and the conveyance to the Plaintiff agreed that the College shall comply in the usual manner as to other purchasers upon receiving the instalments and interest due after deducting the costs above mentioned.

I remain &c
Yours P. J. Turner.

Will you tell Mr Gowen I have prepared his case and only wait a favorable opportunity to forward it - In reply to Mr Small I have put an answer on the file denying

everything - so that Mr Burns will go to the Hearing of
the issue next assizes - the answer was taken by
consent without oath or signature -

In Chancery
John Stuart, Plaintiff - and
Defendant } The Chancellor President and Scholars
of Kings College - Defendants -

The Plaintiff's account of costs in this cause
is as follows for Bill -

" Drawing same 3d 6s
" To Counsel to settle and sign
" Attending same with and there for
" Engraving same -
" Attendance filing and paid -
" Prizes for subp. & Attendance
" Paid filing and wait
" Endorsing Notice and Copy -
" Service thereof
" Attending sending for App
" " " answer
" Paid for Office copy 14 6s
" Attendance
" Drawing & Engraving Replication
" Attending filing & paid
" Prizes for subp. to join attendance
" Paid for filing and for wait
" Copy and service

Subsistence	Solvent	Per
		7 6
	1 5	
10		
	2 6	
	12 6	
	3 9	
	1 3	
3 4		
	4	
	1 3	
	1 3	
	1 3	
9 6		
	1 3	
	7 6	
1	1 3	
	1 3	
3 4		
	2 3	
1 7 2	3 13 9	

To receive for Rule to produce -

" Prizes and Attendance

" Paid for filing & for Rule

" Copy and service -

" Instructions for Interrogation

" Drawing same

" To Counsel to settle & sign

" Attendance with & there for

" Attending filing and paid

		1 3
1 10		
	1 9	
	3	
	3	
10		
	2 6	
4	1 3	

Copy to serve				2 6
" Drawing and expressing Petition for Service				1 3
" Examination of Witnesses				3
" Attending defendants Solicitor for his consent				1 3
" Attendance, filing and paid	1			1 3
" Paid for value and returning	1	10		
" Attendance				1 3
" Copy and service				1 9
" Copy of order for Master				6
" Having received from Defendants Solicitor Proposal for an arrangement within three months				2 6
" Instruction to Registrar to forward interrogations and paid	1	3		1 3
" Drawing and expressing notice of time and place of examination				2
" Service thereof				1 3
" Præcipe for copy books & attendance				1 3
" Paid filing and for writs				
" Copy to serve				1
" Drawing fair copy of notice to answer				3
" Attending & leaving L ^d Bays				1 3
" Having been attended with Petition of Defendant for Examination of Witnesses consenting thereto				1 3
" Postage of Papers to Master	3	9		
" The same on being returned	3	9		
" Præcipe for Books to pass for them and Attendance				1 3
" Paid filing for Notice	1	10		
" Copy and service				1 9
" Attending bookkeeping for Off. Copy depositions				2 6
" Paid therefor 13 folios				7 6
" Abstracting & fair copy Bill of Answer 19 folios & depositions 13 folios in all 32	17		1	14
" Instructions for Brief				8

" Drawing same & fair copy -				5-
" See to Mr. Hitchings	3	2	.	
" Attendance				1 3
" attending Registrars' children				
" Copy of pleadings for 2 nd Council		8	6	7
" Copy Bill to accompany				2 6
" See to Mr. Ester	3	2	.	
" Attendance				1 3
" attending Applicants Solicitor and settling Admorsion to care of House				5-
" Drawing a fair copy of same & John				5-
" attending to get same signed 1/3				1 3
" 3 Copies for Council		1	8	3 4
" Papers for Subj. to hear Judgments and attendance				1 3
" Will papers and for writs		3	4	
" Copy and Service -				2 3
" Drawing and engrossing Affidavit of Service and return		1	.	2 .
" Attendance, filing & Paid			4	1 3
" Paid for Office copy and attendance		1	.	1 3
" attending Court. and heard judgment proposed				5-
" attending Court - judgment given for Plaintiff -				5-
" attending Reg. Respecting minutes Paid therefor		2	.	1 3
" Copy of Appointment to settle -				1 9
" Case copy				1 6
" Attendance settling.				5-
" Paid for decree		6		1 .
" Copy of Appointment to pass & serve.				1 9
" Attendance passing				5-
" Attendance for decree				1 3
" attending and settling conveyance under Decree				10 .
" Drawing Bill of Costs & Copy				5-
" attendance paying				5-
" Postage				5-

- " Disbursements & Charges from 1st page
 " Total Disbursements
 " Deduct for error
 " Solicitors fees to be equally
 " Total amount of Laid Costs to be paid
 by the Defendants to Plaintiffs under

1	7	2	3	13	9
4	0	3	13	12	1
				10	
				13	2
				1	
				22	2
				4	

From
 Jas E Small Esq.

Es.

Toronto 4th March 1842

I have the honor to acknowledge your
 for the information of the Council of Kings
 College that having had under consideration
 for some time past the claim of the Law Society
 to the whole or the greater part of the old Chain
 in width on lot Street conveyed to the Chancellor
 President and Scholars of Kings College on the 2nd
 day of November 1839 by the Hon^{ble} John Beverly
 Robinson and now forming part of the ~~Plat~~
 on Avenue comprised by the Council of that
 University for the purpose of preparing such an
 instrument in writing acknowledging the
 right of the Law Society to be executed by
 the Chancellor President and Scholars of Kings
 College as would satisfy the said Society.

It appears by reference to the
 Prior Deed from Mrs Robinson to the Law
 Society dated 10th June - 1828 a grant is made
 of the old Chain on lot Street which was sub-
 sequently added by that Gentleman to the
 University in the following words. " And further
 " the said John Beverly Robinson and Emma
 " his wife did and each of them doth give
 " grant assign and appropriate to and for
 " the use of the Law Society of Upper Canada
 " aforesaid their successors and assigns their

" their servants and Agents - and also and every or
 " any other of His Majesty's subjects for their free
 " egress and regress with their Horses Teams
 " Cattle Carts and other Carriages as occasion
 " may require in all times to come a road and
 " right of way of one Chain breadth at the
 " least in its whole Course on the West-side
 " of the said six acres" And they did thereby
 " further Covenant - - " That they will not at
 " any time or times hereafter for ever close up or
 " obstruct or in any wise encumber the said road an
 " way or forbid or oppose or in any way impede
 " the free egress and regress of the Law Society
 " of Upper Canada (aforesaid their successors
 " or assigns their servants or Agents or any
 " other of His Majesty's subjects in their passing
 " and repassing with their Horses Teams Cattle
 " Carts and other Carriages as occasion may
 " require in upon & the said road and way
 " thereby given granted assigned and appropriated
 " for the purpose of a Public way as aforesaid"

By this it appears that
 the one chain in question was granted by
 Mr. Robinson as a road or Highway not
 only for the use of the Law Society but
 for the Public in general, and as in my
 opinion any person may hereafter compel
 the University to throw open the road to the
 great injury and in fact destruction of the
 College Avenue it is of importance that some
 arrangement should be made if possible
 to prevent so serious an evil -

I therefore take the liberty to
 suggest for the College Council the propriety
 of negotiating with the Law Society for the
 purchase of a strip of land upon the Western
 side of their block of about 51 feet which
 with the 15 lying between their lot and
 the Eastern Boundary of the College Avenue

as now laid out could be dedicated to the Public for a Road and afford if not greater the same advantages to the Law Society than their retaining the right to that part now in the occupation of the University could secure upon such an arrangement being entered into so much of the road dedicated to Mr Robinson as is now occupied by the avenue might by application to the Legislature be vested in the Corporation of King's College -

I have &c
 Signed James E. Smith

To Hon^{ble} W B Hammon. From: 8th March 1842 -

Transmitted to Mr Hammon the Minutes of the Council of K.C. held on the 5th Instant - for the purpose of their being submitted to the Chancellor. b. 10.

From My dear Sir

March 2nd 1842

Hon^{ble} W H Draper.

I have the pleasure to enclose to you for the information of King's College Council a certified copy of an order in Council passed on Monday last -

I believe me &c

Signed W. H. Draper

Order in Council -

Executive Council Chamber Kingston
 Monday 28th Feb^y 1842

Present

His Excellency the Governor General

In Council

His Excellency was pleased to submit for the opinion of the Council the expediency of a temporary appropriation of the Parliament Buildings and Public offices in Toronto for the purpose of the University of King's College until the Buildings intended for the University and about to be erected shall have a sufficient state of forwardness to be used -

And the said matter being considered His Excellency with the advice of the Council was pleased to order that the said Buildings and grounds be placed in possession of the Council of Kings College - by license of occupation or lease for the term of 13 years upon the following terms viz^t

The Buildings to be kept in repair and restored in full repair as at present upon expiration of said license or lease at the pleasure of the Government and at the expense of the University.

That any alterations made by the College be restored upon the delivery up of the Premises so that the Buildings shall be in the same state and form as at present if the same shall be required.

That the said Buildings be insured and continued insured at the expense of the College during the continuation of the occupation by that Body.

And that possession of the said Buildings shall be delivered up upon the requisition of the Government or of any Officer or person authorized to demand the same -

Certified

signed W^m H. Lee.

W^m H. Lee Esq
Solicitor General

W. C. C. Toronto

14th March 1842

I am directed to transmit to you the accompanying deed conveying 1205 acres of land in the neighbourhood of Brantford to the Chancellor President and Scholars of Kings College for the purpose of obtaining your opinion on the correctness and sufficiency of the title under which the conveyance is made -
The Council will meet tomorrow (Tuesday) at 12 o'clock and it would be

desirable to have your opinion by that time
if you can conveniently get it ready

I remain &c

Yours H Boys.

To

Sir,

H. C. O. T. 16th March, 1842.

W. Small, Sol^r
of the University,

I am directed to request that you will return to me
the documents which accompanied my letter to you of the 27th Feb^r
1841 relative to the Right of Way claimed by the Law Society
in the College Avenue, for the purpose of their being submitted
to the College Council

I have &c. W. B. Purvis, H. C.

To

Messrs C Small & Co
Sols to University

H. C. O. Toronto

17th March 1842

Messrs C Small & Co being desirous of redeeming a Bond for £470-5-9 held
against them by the Council of King's College
the Council by the 7th Minute of their proceedings
at a meeting held on the 7th January last
consented to give up the Bond on receiving from
the Messrs Small the following Lands

Lot 19	containing	300 acres
Lot 10	"	100 -
Lot 18	14	200 -
Lot 24	7	100 -
Lot 3 - 2	Lot - west of the	} 200
Lot 1 - 3	Lot - east of the	
		800

being 800 acres

I have therefore to request
that you will carry this business into effect
seeing to the full security of the College -
I enclose the Bond dated 1st August 1839

I have the honor

&c &c &c

Yours H Boys

James C. Small Esq. Sir,

Anglo College Office Toronto

18 March 1842.

By the 4th Minute of the Proceedings of the College Council held on the 12th Inst I am directed to pay you the amount of your Bill against the Corporation to 31st Dec^r last with the exception of the following articles objected to by the Council -

1841

July 10th Copy of Bill for awarding same - 11-8

August 14th " " " " - 11-8

Octob^r 23rd " " " " - 15-6

" " See an opinion 3-10-

Dec^r 3rd Fair copy and Forwarding same - 11-8

Retaining fee in payment of Quodwell 2-10-

£8-10-6

Amounting to £8-10-6-

I have the honor to

signed H. Boys-

From

Toronto 17th March 1842

James C. Small Esq.

I have the honor to acknowledge the receipt of your letter of the 11th Inst with the good therein mentioned of certain lands in the neighborhood of Bradford to the Chancellor President and Scholars of King's College which you state you are directed to transmit for the purpose of obtaining my opinion of the correctness and expediency of the title and which the Council is to make. You further state that as the Council will meet tomorrow (Wednesday) at 12. O'clock it would be desirable to have my opinion by that time. In answer I have the honor to state that in the first place that as a matter of so much importance, I am now looking into the question it was impossible to furnish you with any opinion that would have been satisfactory to myself by the time mentioned in your letter; I have subsequently

This letter with the deed
sent to attorney General on
21st March. see p. 292.
Returned with the deed
made out of 9th app.
see p.

carefully examined all the authorities bearing upon this point that I have been able to procure - and have also examined the Charter and the Provincial Act of 1794. - Chap. 16 amending the same. - By these it appears that on the 16th day of March 1827. His Late Majesty King George the fourth was pleased to establish a College within the Province of ^{Upper} Canada with the style and Privileges of an University to be called "King's College". And after stating who shall be the Chancellor and President thereof the Charter proceeds in the following words - viz "And we do hereby for us our heirs and successors will ordain and grant that the said Chancellor and President and the said Professors of our said College and all persons who shall be duly matriculated into and admitted as Scholars of our said College and their successors for ever shall be one distinct and separate body politic and corporate in deed and in name by the name and style of the Chancellor President and Scholars of King's College at York in the Province of U. Canada - and that by the same name the said Chancellor President and Scholars and their successors from time to time and at all times hereafter shall be able and capable to have take receive purchase acquire hold possess enjoy and maintain to and for the use of the said College any messuages lands tenements and hereditaments of what kind, nature or quality wherever situated and being within our said Province &c and by the same name shall and may be able and capable in law to sue and be sued" - No part of the Charter as above recited has been altered or in any way

affected by the Provincial Act before mentioned.

The Question then for consideration resolves itself into this - Can the Chancellor, President, and Scholars of Kings College as found in the Province of Upper Canada - hold any Commissions granted to the, "Chancellor, President, and Scholars of Kings College" without designating them of any particular place -

I should have less hesitation, than I at present feel in giving a positive opinion upon this case was the Patent in question not countersigned by the doubt the Atty Genl who states it for granted first carefully considered its operation. Altho it is probably that as it may be considered his duty merely to protect the Interest of the Crown the want of description may have been overlooked by him. Notwithstanding the deference and respect I am willing to pay to the local opinions of a Gentleman so deservedly entitled to the highest consideration - I cannot bring my mind to any other conclusion than that this deed is faulty and might involve the University in considerable expense in endeavouring to maintain it.

When as many cases can be cited where a slight variation from the corporate name has been held not to vitiate the Deed but these are principally cases of Verities by Ancient Corporations and Corporations by prescription and a difference appears to be held between ancient corporations and corporations newly created - for it is said an ancient Corporation by use may have a special name differing from substance but otherwise of a Corporation created within memory for the latter regularly can only have the name by which it is instituted - It is also clear that in creating

a Corporation a description is necessary for it is laid down that a Corporation should ~~be~~ constituted of some place - 1 Co 123 and Sir Grants & or by a Corporation it must be named of such a place as will distinguish its situation from others 10 Co 39 B - 22 B. & C. 104 - 252 - Could the want of a description in this Patent be construed into a Patent ambiguity it might therefore well enough and this would depend upon the view a Court of Law or Equity might take of it and I cannot advise that it would be prudent for the Council to risk the expense of a Revision in its favour upon this point.

It is clear that an ambiguity in the case of a deed cannot be explained by construction, and I cannot bring my mind to any other conclusion than that if there be ambiguity in the Grant in question it must be in the face of the Deed.

Under these circumstances and after carefully considering all the cases bearing upon the subject which I have been able to procure I think it right to recommend the present Patent as having of at least doubtful validity and that they should apply to the Legislative Executive Government to authorize the issuing of a fresh Patent to the University by its Corporate name.

I would also take the liberty of suggesting to the Council of Kings College that as the Town of York has been incorporated by the name of the City of Toronto - and as a Union of the Provinces has lately taken place whether it would not be advisable to apply to the Legislature to alter the Corporate name of the University to Kings College of Toronto in the Province of Canada instead of York in the Province of U. Canada in which case I am of opinion a notice in

in the Gazette would be necessary

I am &c

Yours Truly, E. Smith

Mont. N. 19 Decr.

Dear Sir,

N. C. 1. 31 March 1842

I have the honor to enclose to you
an extract from the Proceedings of the
Council of Kings College at a meeting
held on the 14th Inst., being minutes No 3
together with the Opinion of the College
Solicitor and the original Patent granting
2,125 acres of land in the neighbourhood
of Brantford to the College referred to there.

I am &c,

Yours Truly, H. B. B.

Col. Chisholm

Sir,

N. C. 1. Toronto

31 March 1842.

I am very sorry that through
an oversight on my part - your applica-
tion to the College Council, should have
remained till this time unanswered
It was submitted to this Council on the
2nd of Oct., who referred it to their Solicitor.
The Solicitor's report was referred to a
Committee, who closed your Securities
among others which they thought not to
warrant the acceptance of the Council.
Expressing the Solicitor in his report on
your case states "It will be necessary
" Col. Chisholm should wait upon me
" with the title deeds for an order offered
" in security before I can venture to give
" an opinion upon the subject" and he
reports favorably if the notes of hand
I mention these circumstances, that if you
think the production of those ^{title} Deeds
would render that security unobjectionable
you might if you think proper revise the

on 30th March - had a meeting
arranged all his affairs with the
College in April or May.

case and I will retain the notes and your map
of Oakville a short time ^{longer} in my possession
till you inform me whether you propose
doing so -

I have -
Signed H Boys -

W. C. O. Toronto

31st March 1842.

10
Messrs E. Small & Co,

W. C. M. B. p. 303.

In reference to the writ of Subpoena
transmitted to me in your letter of the 24th the
last I beg to send you the following Extract
from the minutes of the Council of Kings College
held yesterday -

"The Liberator applied for instructions
in consequence of a Subpoena being
served upon him by the Court
of Chancery in a case Fisher v. McCague
and others to which the College is a
party

Whereupon it was ordered - That the
Liberator do appear in the Court of
Chancery for the Corporation and
take all necessary steps for its
defence -

In explanation of this case I beg to inform
you that on the 1st of February 1839, the College
sold the E¹/₂ of 34 in 3rd Concession of York
West of Yonge Street to Valentine Fisher
for 100 £ of this sum he has paid £ 20 and
the times allowed by the College terms ^{of sale} of payment
of the Remainder expired in February 1839
The amount with the interest stands thus -

Balance of Purchases money	£ 80 - - -
Int: to 17 th March 1842 -	£ 3 - 4 - -
	<u>£ 83 - 4 - -</u>

We would state that Fisher assigned his
right in this land to Dr McCague and that
Fisher now institutes a suit in Chancery
against Dr McCague's Executors for the

confirmation of an agreement so made
with Mr. Capen for a new assignment of
the land - It does not appear very clearly
what the College has to do with the business
though it is plain by the point of subpoena
we are made a party in the suit in
Chancery, the Vice Chancellor however will
now determine who has a clear right to
the land and the College will be ready
to grant a deed to such person on all
the claims being paid up and it is
to be presumed that no expenses
will fall upon us -

I have Mr. Jones
signed 4/13/41

To Mem^m 4th April, sent the minutes of the two last meetings
The Hon^{ble} S. B. Harrison of Council held respectively on the 30th Wt^m & 2nd Inst^m to Mr
Harrison to be submitted to His L^y the Chancellor

To Mem^m 4th April. Notice of the ceremony of laying the
The Hon^{ble} R. S. Jameson. Foundation Stone of the University

To Mem^m 4th April - Notice as above
The Hon^{ble} R. B. Sullivan

To Mem^m 6th April. Transmitted to Mr Young the 4th & 5th Minutes,
Mr Young, Ack^d to Wt^m. of the proceedings of the College Council held on the 30th Wt^m

To Cashier of B. U. C. Mem^m 5th April 1841. sent to Mr McDout for safe custody & management
Welland Canal Stock Subscription for £937.10.0 Curr^t. N^o 63, dated 24 Nov^r 1841

From Mem^m 7th April 1841. Received Mr McDout's receipt dated 6th Inst^m.
Cashier of B. U. C. for the above mentioned Subscription

H. C. Frank

9th April 1842

W. B. B. B. B.

Sir

Managing Director

I am directed by the Council of Kings College to propose to your office an assurance in the name of the Council of the Parliament Buildings and Public Offices intended to be provided for the University namely the Centre Buildings and the West Wing. I am proposing to insure £500 on the former and £200 on the latter -

These buildings being so well known and the West Wing being already insured in your office it is unnecessary for me to attempt the description of them and I have therefore only to request you will submit this proposal to the Board of Directors of the British North America Fire and Life Assurance Company at their earliest meeting.

Yours &c

Signed H. Frank

From

Sir

Bathurst 30th March 42

W. B. B. B. B.

I am in receipt of your letter of 25th and noticed its contents. It is my intention to arrange all my affairs with the Kings College in the course of the month of April or very early in May. The first time I make any stay in the City I will call and see you -

I am

Signed W. B. B. B. B.

From

Sir,

Toronto 9th April 42

W. H. W. W. W.

My Dear

I have the honor to return the opinion of the Solicitors of Kings College to the effect that a Corporation created by our name cannot exercise its power of taking or disposing with lands by purchase -

Enclosed to you a

From
 Dr. Wm. Rees
 May 1842

patient - then allow any for the same respect
 which the question arose - and therefore
 it is unnecessary any further to make any
 further observations

From
 Dr. Wm. Rees

Toronto 13th April 1842

Gentlemen

I had the honor of addressing
 you a letter upon the subject of the Prov.
 Lunatic Asylum calling your attention
 to the importance of having that Institution
 established at this place. I am prompted
 again to call your attention to that com-
 munication in consequence of rumors
 being prevalent that intentions are
 now waiting in certain quarters to
 transfer its site from Toronto to
 another part of the Province. The
 advantage to the cause of medical science
 that this Institution should be
 within reach of the Medical Professors
 and students of the noble University
 now speedily going into operation are too
 obvious for me to dwell upon and I
 feel assured that the Council who are
 its constituted guardians will spare no
 pains to secure for this intended seat of
 learning ^{what} ~~where~~ considered as an auxiliary
 to it an Institution possessing so
 valuable a character.

Trusting that the Council
 will pardon my anxiety on a subject
 which cannot fail to excite some
 interest in their estimation

Yours &c

Signed W^m Rees

297.

To
 His Excellency Sir

H. C. O. Toronto

18th April 1842

I am directed by the Council
 of H. C. to request that you will officiate
 as Marshal of the ceremonies on the
 approaching occasion of laying the
 foundation stone of the University
 Library &c.

Signed H. B. Bop

To
 Mr. Hughley Esq Sir

H. C. O. Toronto

18th April 1842

I am directed by the Council of
 H. C. to request that you will officiate on the
 approaching ceremony of laying the founda-
 tion stone of the University as Esquire
 Bidel - attending on His Excellency the Chancellor
 Signed H. B. Bop

To
 The Hon^{ble} J. B. Robinson Sir
 Chief Justice

H. C. O. Toronto

19th April 1842

I have the honor by directions
 of the Council of H. C. to enclose to you
 for the consideration of the report the
 Judges of the Court of Queen's Bench,
 Visitation of the University a statute
 proposed by His Excellency the Chancellor
 of the University to the Council of Kings
 at their meeting on the 30th Ult^o and
 passed and adopted by them at their
 meeting on the 2nd Instant.

I am the honor
 Signed H. B. Bop

To
 Hon^{ble} J. B. Cairns Sir

Kings College Office

Toronto - 5th April 1842

I have the honor to enclose you
 the minutes of the meeting of the Council
 of Kings College held on the 13th 14th 27th & 30th of
 April respectively for the purpose of their
 being submitted for the information of His

Excellency the Governor General, Chancellor of
the University - - - - - Regent H. Boys.

From
His Excellency
the Chancellor

My Lord

God's House Kingston
14th Feb^y 1842.

I need hardly assure your Lordship
that I have given my most attentive consideration
to the matters relative to the University of King's College
brought before me in the conversations which I have
had with your Lordship, and that I am most
anxious to adopt the course which will be best
calculated to bring that Institution into immediate
and effective operation -

The propositions which you have
submitted to me in regard to the commencement
of the Buildings and the temporary occupation
of those belonging to the late Legislature of U. C.
until the permanent Edifice for the University can
be erected appear to be reasonable and expedient;
but it would be impossible for me in my
character as Chancellor to take any formal or
conclusive step in regard to them, without the
advice and consent of the Council. I have therefore
to request that on your return to Toronto your
Lordship will bring these matters before the
Council with a view to their expressing to
me in a formal manner their opinion
respecting them -

I take this opportunity of
expressing my sense of the Patriotic Spirit
by which your Lordship's communications
to me on this subject have been prompted &
governed -

I have &c
Regent Charles Boyer.

Kings College Office Toronto

7th May 1842.

Genl Sir B. Hammon Sir

I have the honor to enclose the 10th minutes of the proceedings of the Council of K. C. at a meeting held on the 11th of April last, for the purpose of its being submitted for the special consideration of His Excellency the Governor General Chancellor of the University —

I have &c

L^y D. H. Bays -

Document enclosed in this above.

A note of what has been done respecting the Royal Donation of £1000 by granted to the University of Kings College as a Building Fund —

Extract from Paul Bathurst's despatch to Sir Peregrine Maitland dated Downing Street 31st March 1827.

"I am further to acquaint you
"that His Majesty has been pleased to grant
"£1000 per annum as a fund for erecting
"the Buildings necessary for the College
"to be paid out of the monies furnished by the
"Canada Company and to continue during
"the term of their agreement.

The Grant was regularly paid from the 1st of Jan^y 1828 to the last day of June 1832 - being 4½ years - It was then suspended by a despatch from the Home Government to Sir John Colborne* until the Legislature should pass such an Act for amending the Original Charter of the University as should be approved of by the Sovereign -

The Legislature having passed such an Act in the first Session of the 13th Prov: Parliament to which His Excellency Sir Geo: B. Head then Lieut: Gov: of the U. Province

* A Copy of this despatch is not to be found in this Office the original it is presumed must be in the Gov^t Office.

signified the Royal Assent on the 4th of March 1837 - The Cause assigned for suspending the grant was removed

On 29th of January 1840 Lord Lydenham being Governor General of Canada and being present at the College Council as Chancellor of the University this matter was adverted to & the following minute made thereon

Extract from the ^{Minutes} Proceedings of the Council of K.C. at a meeting held on the 29th of January 1840 -

"No 1 The Council took into consideration the
"Royal Grant to K.C. of £1000-⁰⁰ per annum
"where it was stated that in arrears of 7½
"years was due on this grant to the College sum of
"without-Doubt to £8333-6-6 -

"The Council deemed it expedient
"that an immediate application be made
"to His Excellency the Gov General respecting these
"arrears accompanied with a full statement of
"the circumstances under which they are claimed,
"for his consideration"

Which minute was specially brought under His Lordship's consideration by being transmitted to him by the Registrar in his letter to Mr Harrison dated 4th of Feb'y 1840

His Excellency Lord Lydenham never took up the matter

The last payment to be made to Gov^{ts} by the Canada Co will take place next month (June 1842) - It therefore seems a point of great urgency that the matter should be taken into consideration immediately -

The ap^l stands as follows.

From 1st July 1832 to 30th June 1842 10 years

to 10,000 - - - - - It is with interest equal to
 £ 11111 - 2 - 2. Of -

By - H. Boys.

From
 W. B. Garrison

Esq.

Secretary's Office, Kingston
 May 1842.

I have the honor to transmit herewith
 a warrant under the hand and seal of
 His Excellency Sir Charles Bagot a Chancellor of
 Kings College appointing Christopher Widmer Esq
 a member of the College Council in the place of
 Robert Barclay Sullivan resigned -

Signed W. B. Garrison -

Province of Canada.

By His Excellency the Right Honourable Sir Charles
 Bagot G.C.B. - one of Her Majesty's most
 honourable Privy Council, Governor General
 of British N^o America, and Captain General
 and Governor in Chief in and over the Pro-
 vinces of Canada, Nova Scotia, New
 Brunswick and the island of Prince
 Edward, and Vice Admiral of the same

& -

& -

& -

To Christopher Widmer Esquire and to all to
 whom these presents shall come - Greeting

Whereas by an act of the Parliament
 of the late Province of Upper Canada passed
 in the seventh year of the reign of His late
 Majesty King William the 4th entitled "An
 Act to amend the Charter of the University
 of King's College is amongst other things in effect
 enacted, That the Governor or Lieutenant Governor
 or Person administering the Government - of the
 Province for the time being shall have power
 as Chancellor of the said College to appoint a
 fit and proper person to fill up any vacancy

in the College Council and that the members
of the said Council shall be twelve in number,
of whom the Speaker of the Legislative Council
for the time being shall be one.

Now Know Ye that I do Charles Bagot
G. C. B. Governor General of Her Majesty's
Province of Canada Chancellor of the said
University of King's College for the time being
by virtue of the Power and Authority in me
vested by the Royal Charter establishing the
said College and by the provision of the said
in part recited Act - have Constituted and Appointed
and by these presents do Constitute and Appoint
You the said Christopher Widmer to be a member
of the said College Council in the place & stead
of the Hon^{ble} Robt Baldwin Sullivan resigned
! during pleasure -

Given under my hand and
seal at Kingston this 5th day of May
in the year of our Lord 1842. and in the
5th year of Her Majesty's reign -

By Command

Chas. Bagot.

J. B. Munro

Secretary

5th
Christopher Widmer Esq. Sir,

King's College Office Toronto

10th May 1842.

I have the honor to transmit
to you this warrant of His Excellency the Gov^r
Genl. Chancellor of the University appointing you
a member of the Council of K. C. and am
pleased to request that you will attend the
next meeting of the Council which will, prob-
ably take place on Saturday next - but of
which you shall receive a more particular
notice - for the purpose of signing the Declaration
and taking your seat at the Board and
you are requested to bring the warrant with
you

Signed H. Ross.

To

Mr. Mayor Powell. Madam -

King's College Office

10th May 1842.

The Lord Bishop of Toronto having placed before the Council of King's College a letter dated the 30th Ult^o addressed to him by His Excellency the Governor General, Chancellor of the University in which his Ex^{ty} stated it would give him great pleasure if you could be continued in charge of the left wing of the Gov^t Buildings now assigned to the temporary use of the University at the salary which you formerly received from the Gov^t for the same duty - I have the honor to inform you that the Council thereupon ordered -

"That Mr. Mayor Powell be continued for the present in charge of the West wing of the Public Buildings at his present salary of £10 per an. to commence from the first of this month (May.)"

I have &c
Signed H. Boys.

To

Hon^{ble} L. B. Harrison Esq.

King's College Office

11th May 1842.

I have the honor to enclose to you the Minutes of the proceedings of the Council of K. C. at a meeting held on the 7th Instant for the purpose of their being submitted for the information of His Excellency the Gov^t Gen^l, Chancellor of the University

I have &c
Signed H. Boys.

To

Hon^{ble} L. B. Harrison.

A similar letter to the preceding

K. C. O. O.

17th May 1842

Enclosing the Minutes of a meeting held on 16th instant -

Signed H. Boys.

Kings College Office 23. May 1842.

To the Hon^{ble} J. B. Harrison

Enclosing the Minutes of the Meeting of
the Council on the 18th instant.

From

to the Hon^{ble} General.

Trincomalee Office

Trincomalee 18th May 1842.

I have a large sum of money in my
hands to be invested for Schools and the purchase
of Ales of (Crown) Lands in the Public Auction
of the Hon^{ble} Trincomalee District Court. I am
hoping you will give me the opportunity of
purchasing any you may have to dispose of
from time to time. I have endeavoured to
make purchases but have not been able to
succeed.

I have &c &c

Yours John H. Dana.

Received General

Sir

K. C. O. S. 20th May 1842

I have the honor in reply to your letter
of the 10th instant to inform you that during
the building of the University it is not probable
that we shall have any surplus Capital to lay
out in investments.

Yours J. Boys.

K. C. O. Toronto

Sir

30th May 1842.

Referring again to your letter of
the 10th instant I find I have totally misun-
derstood its purport and that in my answer I
have considered that you wished to dispose of
securities whereas your object is to purchase
securities. I can only say that we are not
wishing to dispose of securities at present
but as the building of the University goes
on it is highly probable we shall wish to
make sales and in that case your application
shall have a preference.

Yours H. Boys

them - Catalogue from a letter dated the 24th Aug 1842
to St. Blayney by James F. St. Blayney Esq. to the Lord Bishop
of Toronto -

"I have been favoured with your
letter upon the subject of the Catalogue
I sent to you and am quite willing to
consider it as concluded that the list
of names named shall be the property of
the University for the sum of \$100. My
which will be \$120 - 00."

"I am now with some the Trustees
do let me know if I shall forward them to
your lordship's address or mine in Toronto

"As to the General Catalogue
I would be glad to know what are the
works the University desire to have and
the price they are disposed to give to
them - before I can decide upon a selection
being made - and which I take for granted
would include the best part of my library"

Hon. S. B. Harrison Mem^m 10 June, 1842. Transmitted to Mr Harrison the
Minutes of the proceedings of the Council of King's College
held on the 8th Inst.

D. Widmer Mem^m 8th June, 1842. I Widmer this day submitted to the
Council of K. C. the following report on the organization of the
Medical Department of the University, viz -

In drawing up this sketch for the organization of the medical
Department of King's College I have endeavoured to approximate the
expense as nearly as possible to the probable means of the University,
and therefore, whatever objections the plan may present must be
attributed solely to the means anticipated for its completion.

The policy of dividing the teachers in this Department into
two ranks of Professors & Lecturers I deem objectionable as likely
to lead to feelings of jealousy on the part of the latter class; and
as no practical benefit can arise from such a division I propose
that the Faculty of medicine shall for the present consist of four
Professors. - In accordance with this view, all the Professors will

be of equal rank and receive the same remuneration: the senior, as provided by the Statute, taking his seat in the Council. This arrangement presents advantages over the plan of dividing the duties of the Department amongst a greater number of persons and constituting invidious distinctions of rank & income; altho' it certainly imposes a degree of labours on the Professors which may be considered burdensome: but if the number of students should increase in accordance with our hopes of the popularity of the University the Professors of Physic & Surgery may then be relieved of the subjects not peculiarly their own and a fresh professorship established: - at which time it may be practicable to endow a professorship of the Institutes of Medicine & Medical Jurisprudence.

As the selection of the Professors rests with His Excellency the Chancellor I will only briefly observe that the importance of stamping a character of powerful talent on this branch of College Education at the commencement will, I trust, induce His Excellency to resort to the mother country for a part at least of the materials for the organization of this faculty.

In addition to the Professor of Chemistry it would be desirable to obtain the Professor of Physic from Britain - amongst the best educated men in the profession & medicine are those now sent forth from the London University & Kings College in London. The examinations at both these institutions are of the most severe character and none but those highly qualified can graduate. There are many young men who have obtained honors that would gladly accept of the advantages offered by the limited income which would be ^{afforded} ~~offered~~ here and an application made to the Council or the Professor of Physic at either of those institutions would furnish this University with a well qualified person to fill our chair of Physic.

I propose then that the Medical Faculty shall for the present be organized as follows, viz:

1st a Professor of the Theory & Practice of Physic & Materia Medica.

This Professor to lecture daily on Physic, & twice a week on Materia Medica embracing Medical Botany - And also twice a week on Clinical medicine at the Hospital.

2nd & Professor of Chemistry.

3^d a Professor of Anatomy & Physiology embracing comparative anatomy. - This Professor must employ his own prosecutor to prepare the anatomical subject for the Lecture Room.

4th a Professor of the Principles & Practice of Surgery. This Professor will also be required to take the Department of Midwifery. He will have to lecture twice a week on Surgery, and Daily on Midwifery. - the late Sir Astley Cooper lectured Daily on Anatomy, and twice a week on Surgery for many years, although in extensive practice.

It will be necessary to appoint a Conservator of the Museum and a Demonstrator of Anatomy - these two offices may be consistently associated in the same individual - the gentleman's time will be fully occupied in the care of the anatomical preparations, in making new ones; and in directing the progress of the anatomical students; which latter duty will necessarily confine him for many hours to the dissecting room. I feel it to be necessary in conclusion earnestly to recommend, that the office of Curator be filled up without delay as many valuable ^{pathological} preparations can be obtained almost daily at the Hospital.

Toronto, 8th June, 1842. (signed) C. Widmer.

Paris

U.S.A.

Dr. J. B. de Blaquiere

U.S.A.

Sir

June 10th 1842

I beg leave to acknowledge the receipt of your letter of the 10th instant enclosing an order of the U.C. Bank for £100 - £121-13-4 (4/-) - being for amount of Clinics 80 sold to the University. I request your kind convey to my good friends of Toronto my thanks for his prompt attention to my request on this subject. - awaiting instructions as to the transmission of the Book -

I remain &c

Sir

Yours &c

Dr. J. B. de Blaquiere

1891

1890

1865

Sept 12. 1892 42

I have the honor to inform you for the information of the College Council that yesterday the old Board (Back Chamber) of the following document - 443:

Will James in Crown of 64 for 23 in 13th Per
(in the Township of Chichester to David Holley
for 49 years dated 28th July 1844/forth in assignment
thereon is James Farr and M^o Farr dated the
1st July 1844.

Stated from the Census of 18th Oct 22nd in
18th Ann. C. in Etobicoke to David Haley
for 94 years Aged 24th May 1817. with an
Assignment from James Finner and M^{rs} Hor.
Aged 1st Jan 1817

Assignment of lease given James Farr &
John Farr to the Hon^{ble} Joseph W. Ellis of Feb 22
A. D. 3 in Western Co. : On Election held 25th
Sept 1831 - Morgan & Co. bought the tract
of 1800 of Sec 24 Twp 24 N. 40. W. Co. B
Electricity and 1/2 of Sec 24 Twp 24 N. 40. W. Co. B
of 1800. 25th Sept 1838.

Received of C. de Col: Miller for 30 years from 29th
Sept 1836 of 23 in Com. of El Estrecho dated 1st
1830 - 100 acres

Assignments of Lease Joseph M. & Charles
M. M. to Wm. R. Mansworth of Lot 33 com-
mencing in E. L. H. Co. sales 1st of June 1841 -

Wagon and Sale - Joseph Wells to Ch^d Wadsworth
for 24th B. Wadsworth of B^d W. 24 com C and
24th com B. in Elkhorn 50 and -

Assignment of Freehold and Leasehold property—
being the New St 24 cow C and $1\frac{1}{2}$ of 24 cow D
50 acres also 23 cow D 100 acres—Bst St 22 in Bst
Co C 50 acres, also Bst St 23 in Commission C 10 acs,
in Hobbske from Ch^s Wadsworth and Wm R.
Wadsworth to R. C. dated 1st June 1841—

Marriage Richard Woodsworth and wife to Charles
Woodworth and Wm R Woodworth on £ 502-3-2 upon

Lot No 6 N^o side of King Street (Cath & Court house Block.) subject to a mortgage dated 1st May 1838 - to Grant Powell, M^o W Gamble, and Nancy Miller from Samuel E Taylor for £ 512 - 10/-

£ 512 - 3 - 3 payable 1st January 1844. with Interest payable half yearly mortgage dated 9th March 1842. assignment of mortgage Charles Woodworth and W^m R. Woodworth to H. C. of Woodworth, Act dated 9th March 1842.

Mortgage M^o Harper & Co to Charles and W^m R. Woodworth to secure £ 100 - 0/- payable 1st Jan 1844 with Interest half yearly 1st July and 1st Jan^y part of Park St No 10. and 1st Ave from the Bay Township of York containing Acres and 31 Perches - dated 1st January 1842.

Assignment of the above Mortgage to H. C. dated 9th March 1842

Assignment of Reversion consisting to £ 5 - 10/- Ann^y rent from 1000 Acres to Charles and W^m R. Woodworth

Policy of Insurance for £ 500 - 0/- upon the Mills at the Hammer in the names of Charles and W^m R. Woodworth

Agreement of Woodworth to the Woodworth for £ 500 -

The three last instruments not assigned to the College I shall therefore retain given to Mr Gamble that the necessary Assignments may be made - with regard to the same to Council I desire the direction of the College Council whether or not I shall cause them to be registered with a view to the securing of the Interest of the University.

Lord Rivers has also executed a Deed of Mr Thornhill's property as well as an Assignment of his Interest in the same for 20 years of the lease at Buntingford which I send you with a view of its being executed by Mr Patrick and Mr Currier who is in Tunstow.

I have also this day received the

the accompanying subpoena from the Court
of Chancery and advise the direction of the
College Council thereon.

Yours J. E. Small -

Mr. J. E. Small Esq. Sir,
London W.C.

N. C. O. Toronto -

30th June 1842

I request your well purchases
for this corporation at 100, one of the Provincial
Debentures of £1000 (as mentioned) to me
this morning - bearing interest at 5 per Cent
If the other could be secured and sent after the
meeting of the College Council on the day after
tomorrow (Saturday) it is probable this Council
might wish to purchase it also, but at
present I can only request of you to purchase
for us one of them.

I have &c
Signed J. E. Boys.

Mr. J. E. Small Esq.

Sir.

N. C. O. 30th June 1842

I beg to send you enclosed the
duplicate of the Ind: of Sale from N. C. to Col:
Aisher of the Past: of Lot N^o 24 in the 3rd Con-
west of George Street of the Township of York for
the purpose of being forwarded to Mr. Maddoc-

Signed J. E. Boys

Mr. J. E. Small Esq.

Enclosing the minutes of the proceedings of the
Council of N. C. at their meeting held on the 30th of June
and 2nd of July.

N. C. O. 5th July 1842

Mr. J. E. Small Esq.

St. James Office.

St. James 8th July

I have the honor by command
of the Lord our General to acquaint you that
in conformity with the minutes of the
College Council of the 8th of July, His Excellency has

been pleased to nominate Mr Henry Sullivan
to be Conservator of the museum and demonstra-
-tion of Anatomy which I have to request you
will have the goodness to notify to the Council -
Signed J.B. Harrison

To Memorandum, 14th July, 1842. Sent to His Excellency the Governor
Capt. Bagot, Priv^y general, through the Private Secretary, the minutes of the
His Excellency Council held on the 13th Inst.

To Sir, N.C.O. T. 7th Oct. 1842.
J.G. Kidout Esq^r - I have to request that you will receive into the
cushes of the B. U. C. Bank of Upper Canada, for safe custody & management, the
three following Provincial Debentures, for Mrs. Lopes, viz^t -
N^o 1, dated 13th May 1833 for - £ 110.. 0.. 0
N^o 242, " " " " " - 90.. 0.. 0
N^o 351 " 27th " " " - 150.. 0.. 0
£ 350.. 0.. 0

amounting together to three hundred & fifty pounds currency;
all bearing interest at 5 per cent per annum.

I will thank you for the usual acknowledgment
at your convenience. I am Sir, &c &c
J.B. Harrison, U.C.

To Sir, Bank of U.C.
J.G. Kidout Esq^r 8th Oct. 1842.
Cashier B.U.C. - There is acknowledged the receipt of your
letter dated yesterday covering a bill for
for lodgment amounting to the sum of
three hundred and fifty pounds (£) which I
have entered in the account of the Council
of N.C. Charge 4 per cent annum for the
interest to the amount in the sum of fifteen
shillings and sixpence
I enclose the usual certificate
of lodgment. I am &c &c J.B. Harrison.

This is to certify that the Council of N.C.
has their sum lodged in the Bank of U.C.

in the hands of Mr. James Davis Treasurer of H. C.
 In accordance with the resolution for sale
 of the land, and management according to the
 sum of £500. On account of interest at the rate
 of 4% per annum.

No.	Description	Date	Wm. H. H. H. H.	Interest	Rate	Amount
1	Wm. H. H. H.	13 th May 1863	13 th May 1863	13 th May	13 th May	110
242	do	" "	" "	" "	" "	90
361	do	27 th "	" "	27 th "	27 th "	150

Amounting to £ 350 " "

Bank of Upper Canada
 Toronto 7th Oct 1842.

Signed J. J. Tidant
 Cashier

Capt. Bagot
 Private Secy. to

H. C. Toronto
 17th Oct 1842.

I have the honor to enclose to you
 the minutes of the proceedings of the Council of
 Kings College at their meeting held on the 13th inst
 for the purpose of their being submitted for the
 consideration of His Excellency the Governor General
 Chancellor of the University.

I have the honor to
 signed H. H. H.

To
 Capt. Bagot
 Private Secy. to

Memorandum, 20 Oct 1842. Sent to Capt. Bagot a
 similar letter to the above conveying the minutes of the
 Council held yesterday, 19th inst.

Memorandum 19th October, 1842.

The President of the University
 placed on the Council table the following two new
 statutes proposed by His Excellency the Chancellor

Terms

By the Chancellor &c. &c. it is ordained,
 The Academic year shall begin upon the first
 Thursday in October and shall contain three terms

within which all scholastic exercises shall be performed, -

1 The first or Michaelmas Term shall commence on the first Tuesday in October and end on the twentieth day of December

2 The second or Hilary Term shall begin on the fourth of January and end on the Saturday next but one before Easter Sunday.

3 The third or Easter Term shall begin on the Monday next but one after Easter Sunday and end on the Friday next after Commencement day which shall always be the third Tuesday in July.

Of Matriculation.

By the Chancellor &c as it is ordained,

1 The Registrar of the Board shall keep a matricula or Register in which the names of all persons who shall be admitted, members of the University shall be enrolled with their age, places of birth and education and the names, rank and place of residence of their parents and the religious denomination to which they belong.

2 No person shall be matriculated under the age of sixteen years.

3 No person shall be matriculated without the previous examination by the Vice President, or when that office shall cease, by the President in the Greek and Latin Languages & in mathematics the particular subjects of examination shall be appointed from time to time by the Vice President or in the case above mentioned by the President.

4 Each student at his matriculation shall be required to subscribe a declaration that he will strictly observe and abide by the statutes rules and ordinances of the University

Candidates for admission may present themselves in Easter term after commencement-day and on the first day of Michaelmas term for public examination but in either case Michaelmas shall be reckoned as their first term.

Give the following Notice -

University of St. Peter's College

The professors of the Faculty of Arts will commence their lectures in Hilary term 1843 on Monday January 9th

Candidates for admission into the University may present themselves for examination at the Vice President's Chambers in the former Parliament Buildings on any Monday Wednesday or Friday at 11 o'clock previous to Thursday January the 3rd.

The subjects of examination will be in Classics - Two Greek and two Latin Authors (one of the authors prose, the other verse) and in Mathematics the first two books of Euclid's Elements and Simple and Quadratic Equations.

Candidates will be required to produce certificates that they are of the full age of 16.

It is expected, that the School of Medicine will be opened, for students in that faculty in Michaelmas term 1843. When the requisite arrangements shall have been completed, due notice will be given by public advertisement.

Signed /

Wm. King Oct 1842.

Vice President

From

Wm. King Esq. My Lord,

to the Bishop of
Down

Secretary's Office Kingston

24th Oct 1842.

I have the honor by command of the Governor General to acquaint you that his Excellency as Chancellor of the University of King's College being anxious on behalf of the Charter to have the consideration of the College Council

directed to the propriety of passing a statute
relative to the appointment of a Demonstrator
of Anatomy and Curator of the Anatomical &
Pathological Museum has directed me to send
to you a draft of a statute on the subject he
will feel gratified in your bringing under the
notice of the Council and acquainting me with
the information with the result.

I have &c

Yours &c W. Harrison

Chapter

Of the Demonstrator of Anatomy and Curator
of the Anatomical and Pathological Museum

By the College Council of the Chancellor &c

Be it enacted and ordained

- 1 That there shall be a Demonstrator of
Anatomy and Curator of the Anatomical and
Pathological Museum —
- 2 That it shall be his duty to prepare, preserve
and take under his special care all such
specimens of human and comparative anatomy
as may be required for the education of the
students of the Professors of Anatomy of
this University and also to prepare and pre-
serve all such anatomical and pathological
preparations as may fall within his reach
and also to take charge of all paintings draw-
ings diagrams and models that may be fur-
nished for the use of the various professors
of Physic Surgery and Midwifery in this
University.

In executing the Office of Demonstrator
of Anatomy he shall be present in the dissecting
room for certain hours in the day to be fixed by
the College Council during the continuance
of each course of Anatomical lectures he
shall point out to the students of practical
Anatomy the various parts which may be

the subject of their studies, he shall give a daily demonstration on some subject of human or comparative anatomy and proceed over & govern the dissection room all matters relating to the acquisition by the students of a knowledge of Practical Anatomy

That he shall keep a Register of all the preparations contained in the said Museum noting against each and under a current number any account or history that may relate to it and he shall attach to each object its current number by which means a reference can be made from this object to the Register and its history traced.

That his salary shall be fixed by the Council of King's College and his place of residence provided by the same body -

That in all justice details of his duties he shall receive and obey instructions from the College Council

To
Capt^r Pagot
Priv. Sec^y &c. &c.
Memorandum, 7th November 1842. Sent to Capt^r Pagot the Minutes of the proceedings of the Council of K. C. at an adjourned meeting held on the 5th Instant.

at
Capt^r Pagot
Priv. Sec^y &c. &c.
Memorandum 14th Nov. 1842. Sent to Capt^r Pagot the minutes of the Proceedings of the Council of K. C. at their meeting held on the 12th Instant.

at
Capt^r Pagot
Memorandum 18th Nov 1842 - Sent to Capt^r Pagot the Minutes of the Proceedings of the Council of K. C. at their meeting held on the 16th Instant

To
Hon^r Sullivan Esq^r
Memorandum 24th Nov^r 1842 Sent to Dr Sullivan an extract from the Minutes of the proceedings of the College Council on the 16th Instant, being the whole of Minute 34th.

From
Capt. Bagot
Private Secretary

Sir, Kingston, Nov: 21st 1842.

By Command of His Excellency the Chancellor I have to communicate for the information of the Honorable Council of the University of King's College, that His Excellency the Chancellor has been pleased to appoint John McCaul, Doctor of Divinity, Professor of Classical Literature to the University of King's College, with a seat in the Council as such Professor

His Excellency has further been pleased to appoint Doctor John McCaul, Professor of Belles Lettres, Rhetoric and Logic, to the University of King's College.

His Excellency has further been pleased to appoint Dr McCaul Vice President of the University of King's College

I have the honor to be, Sir,
The Bureau of the University of King's College -
(signed) J. Bagot, Private Secretary

To
Capt. Bagot

Memorandum 10th Dec 1842. Sent to Capt. Bagot the Minutes of the proceedings of the Council of K.C. at their meetings held on the 26th & 30th Nov. and 3rd Instant.

From
Capt. Bagot, Sir

Government House
Kingston 10th Dec 1842.

I am directed by His Excellency the Governor General to acquaint you for the information of the Council of King's College, that he has been pleased to appoint the Rev. Dr. E. P. Barron D.D. Professor of Divinity -

His Excellency has been pleased to appoint the Hon. W. H. Draper Professor of Common & Civil Law - also Richard Potter Esq. Professor of Mathematics and James Croft Esq. Professor of Chemistry - I am also directed to acquaint you that the University will not be put into operation in July next as proposed, and that in consequence of the representations made by the Rev. Dr. McCaul it cannot be opened till April the 24th when it is His Excellency's earnest hope nothing will prevent its then commencing
(signed) J. Bagot - Secy

To
The Hon^{ble} J. B. Robinson
Chief Justice

Sir, K. C. O. T. 12 December, 1842.

I have the honor by directions of the Council of King's College to enclose to you for the consideration of the Hon^{ble} the Judges of the Court of Queen's Bench, Visitors of the University, an extract from the Minutes of the proceedings of the Council at an adjourned meeting held on the 26th Ult^o.

I have &c - W. B. Rep^t K. C.

To
The Hon^{ble} J. B. Robinson
Chief Justice

Sir, K. C. O. T. 13th December, 1842.

I have the honor by directions of the Council of King's College to enclose to you for the consideration of the Hon^{ble} the Judges of the Court of Queen's Bench, three Statutes proposed to the College Council by His Excellency the Chancellor, and passed & adopted by that Body; being Chapters VII., VIII. & IX. of the Statutes of the University.

I have the honor &c &c

W. B. Rep^t K. C.

To
Capt^l Bagot.

Mem^o 20th December, 1842, Sent to Capt^l Bagot the minutes of the meeting of Council of the 14th Inst^o.

To
Capt^l Bagot.

Mem^o 15th Feb^y 1843 - Sent to Capt^l Bagot the minutes of the meeting of Council of the 8th Instant.

Report
of
the Committee of
the Council of K. C.

Read in Council
7th January, 1843.
Reported by Council to
the University and to the
Hon^{ble} the Judges.

Toronto 28th Feb^y 1843.

The Committee appointed by the 8th minute of the College Council held on the 8th Instant - to investigate & report on a proposal submitted to the Council at that meeting by Mr. Geo. Redout beg to report that your Committee have carefully investigated this matter and find it to stand thus Mr Redout offers to the College a certain property belonging to him subject to a judgement obtained by Colonel Wells in payment of a debt due from Col. Wells to the College.

Mr Redout states that there is already a mortgage on this property of £1000 in favor of Mr Riddell and that Mr R. has a further claim on it of £350 on account

of the law expenses of a foreclosure suit to satisfy some other judgements Mr Ridout will require £371 which sum with £329. we that Mr Riddell assents to take on the foreclosure makes £600—

Colonel Wells claim on Mr Ridout on the 1st of August 1841 amounted to £1000-8-9 to which must be added 1½ years interest accrued since making £1090-8-9—

Upon these data the claims upon the property may be stated thus

Colonel Wells claim	£ 1090
Mr Riddells mortgage	1000
Foreclosure & Judgements	600
	<u>£ 2690</u>

We have examined the property and have inquired into its value and from our own opinions as well as from the opinions of others accustomed to value property in this City we think it to be worth £3000— or more and therefore deem it unexceptionable security for the before mentioned amount of £2690 with interest if a valid title can be made to the Corporation.

Should the Council be disposed to assent to Mr Ridouts proposal we recommend that the Solicitor be instructed to inquire into the validity of Mr Ridouts title and give an opinion on the eligibility of the security and ascertain that the property be not liable to any other claims. We also recommended in case the title be found good that the property be conveyed to the Corporation in fee simple with an understanding that the College would permit Mr Ridout to put up for sale the whole or any part of the premises as he should be directed to cover all the above mentioned claims and that till the whole of the said claims be paid to the College the amount of sales should be liable to

Report
of
Committee

be charged with all incidental expenses & interest

Mr Midant in his letter states that Mr Riddle has expressed his readiness to forebear his Mortgage claim for three or four years and as Colonel Wells claim would be a book transaction and not require an issue of money the transaction might be effected with the only immediate outlay of the £500 unless the Council were disposed to discharge Mr Riddle's claim at once which we would recommend to be done. If the house is taken so much of the interest to Mr Riddle will be provided.

We beg to add that this arrangement has the full concurrence of Colonel Wells.

Meanwhile is respectfully submitted.

Signed J. Macaulay
Signed L. P. Sherwood

Alfred J. E. Sumner

Sir

K. C. O. F.

5th March 1843.

I was directed by the Council of K. C. to apply to you for your opinion whether a gentleman appointed to be acting Principal of U.C.C. in place of Dr McPaul who has resigned the situation of Principal can under the Charter for the time he may hold the acting appointment be admitted to a seat as a member of the College Council.

I have the honor to
signed H. Boyd.

To

Mr Charles Matthews Sir

K. C. O. F.

11th March 1843

Secy. Colonial Marine

in U.C.C.

I have the honor to enclose you the 1st Minute of the Proceedings of

the Council of Kings College - at a meeting
held yesterday I have &
signed H. Boys.

To
Rev^d H. Scadding - similar to the foregoing letter -
enclosing the 16th Minute - H. B.

From Sir U.C. College March 15th 1843
Rev^d C. Matthews
Enclosed is my reply to the
communication you did me the honor
to address to me today
I have the honor to be
signed Charles Matthews

to the President & Council of Kings
College,

Having received a communi-
cation concerning to me your resolution
embodied in Minute No 2 of the meeting
held March 15th 1843. I feel to say that I
am ready to comply with the request
therein contained, & have the honor &
signed Ch^l Matthews.

From Sir, Lockhouse Kingston
March 15th 1843.
Rev^d W. Pagot.
Sir, I am directed by His Excellency the
Chancellor to request you for the information
of the Hon^{ble} the Council of Kings College that
he has been pleased to nominate J. H. Blake Esq
Professor of Law and Jurisprudence and
Wm Beaumont Esq Professor of Surgery
and Midwifery in the University -
I have &
signed W. Pagot.

From Sir, Toronto
March 20th 1843.
Rev^d J. E. Small
Col. T. C.
I have the honor to ac-
knowledge the receipt of your letter

Thos
Hon James Small
Soli R.C.

of the 16th Instant, whereon you acquaint
me that you are directed by the Council
of R.C. to apply to me for my opinion
whether a gentleman appointed to the
acting Principal in Upper Canada College
in place of W. McCaul who has resigned
the situation of Principal can under
the Charter for the time he may hold
the acting appointment be admitted
to a seat as a member of the College
Council. And in answer have the honor
to state that having referred to the Charter
of R.C. and the Act of Wm 4th Chap 16 -
I am clearly of opinion that no gentleman
can take his seat at the Council board
of Kings College as Principal of U.C. College
until he has been appointed to that
situation by the Crown

I have &c

Signed Jas. E. Small

Esq
Capt Bazar.
Soli R.C.

Mem: 31st March 1843

Sent to Capt Bazar the minutes of the meeting
of Council of the 29th Inst.

Esq
Honble J. W. Robinson
Chief Justice
v v v

Sir,

R. C. O Toronto

31st March 1843

I have the honor by directions
of the Council of R.C. to enclose to you
for the purpose of its being submitted to
the Honble the Judges of Queens Bench Visitors
of the University an extract from the minutes
of the Proceedings of the College Council at a
meeting held on the 26th Instant being the 9th
minute of the proceedings of that day -

I have &c

Signed H. Boyd.

To

Sir,

K. C. O. T. 4th April, 1843.

From the J. J. Small

M^r. H. University,

I beg to enclose to you for your guidance a minute made this day by the Council of Kings College in the case of Mr George Ridout. This, with the minute which I placed in your hands on Saturday last, will put you in possession of every thing that has passed on the subject.

I am directed to ask to please see money to Mr Ridout till you have reported to me. That the Board's funds have been

properly executed

I have &c.

J. J. Small & Co.

5th April 1843 - Hon^{ble} J. J. Small - side page 329 -

To

Mem: 6th April 1843.

J. M. Higginson Esq

Pro: Sec^y

Sent to J. M. Higginson Esq the minutes of the meetings of Council held on the 1st and 4th Instant.

To

Mem: 11th April 1843.

J. M. Higginson Esq

Pro: Sec^y

Sent to J. M. Higginson Esq the minutes of the meetings of Council held on the 8th Inst.

To

K. C. O. Toronto

Mr J. Ridout Esq

Cashier B.C.C.

Sir,

11th April 1843.

I am directed to request of you to deliver over to Charles Gamble Esq an Agent of the Church Wardens of St James Church the following Debentures found among those you hold in Custody for the Council of Kings College viz

No 1 Desjardins Canal	£ 1000 --
2 " "	1000 --
3 " "	1000 --
4 Jay Navigation	280 --
5 " "	280 --
377 Thome Toll bridge	500 --
	£ 4000 --

Amounting to £ 4000 - of - at the same time please to detain the interest that may be due on these debentures.

I have &c

Signed H. Boze.

Thos G. Ridout Esq.
Clerk of the Court

H. C. O. Toronto 10th April 1843

Kindly inform Mr. Gamble that you
object to receive from him the two Debentures
of the Jay Navigation Company. I have to request
you will transfer to the Church Wardens of
St. James Church, Debenture No 342, of 1000 pounds
£500 retaining the interest due thereon

I have the honor
Signed. H. Boys.

Thos G. Ridout Esq.
Clerk of the Court

H. C. O. Toronto.

20th April 1843.

I have to request that you
will receive into the Bank of U.C. for safe
custody & management the two following
Provincial debentures "for payment of certain
Loans" viz:

£800 Dated 1st January 1839 per £7-4-0

" 10 " " " " £9-1-0
£17-4-0

Amounting together to sixteen pounds four
Shillings Currency with bearing interest
at 6 per cent per annum.

I will thank you for the usual
acknowledgement at your convenience.

I have the honor
Signed H. Boys.

From
Thos G. Ridout Esq. Sir

Bank of Upper Canada,
Toronto 20th April 1843.

I have the honor to acknowledge
the receipt of your letter of the 27th instant
and in compliance with your request
I beg now to enclose a letter of Credit on Trin-
ward and King New York in favor of
Mr. Henry Sullivan for one hundred
pounds Currency on account of King's
College which will be payable either at
New York or Boston as may best suit his
convenience

Signed. Thos G. Ridout

From
 H. G. Ridout Esq. Sir
 Cashier B.A.C.

Bank of Upper Canada
 10th April 1843.

I beg to acknowledge the receipt
 of your letter dated yesterday covering A &
 10 Certificates of two Adventures amounting
 to £1044. 12⁰ which I have entered to account
 of the Council of Kings College and now send
 you the usual certificate of deposit

Amos &c.

Signed H. G. Ridout

From
 H. G. Ridout Esq. Sir
 Cashier B.A.C.

Bank of Upper Canada
 Toronto 10th April 1843

In accordance with your letters of
 Authority dated the 11th & 18th Instant, I have
 surrendered, to Charles Gambier Esq. on behalf
 of the Church Wardens of the same Church
 the following Adventures: viz:

801 Bayardin Canal £1000 ..

2 " " 1000 ..

3 " " 1000 ..

373 - York Roads 500 ..

377 - Thames toll bridges 500 ..

Sum all £4000 ..

And have placed to the Credit of Kings College
 the accrued interest thereon amounting to
 the sum of £07. 5. 9. Eighty seven pence
 five shillings & nine pence carrying over the
 following memorandum

Deb on 801 from 31st Dec 1842 to 11th April 1843 - £21-17-3

" " 2 " 11th Dec " " " " 20-1-1

" " 3 " 25 " " " " " 17-15-1

" " 373 " 26 Oct " " " " 13-16-2

" " 377 " " " " " " 13-16-2

Amounting to. £07-5-9

On the other hand I charge the same amount
 for 14 % on the transfer in the sum of £10

Amos &c.

Signed H. G. Ridout

Dear Sir,

Enclosed please find

Yours faithfully

Secretary's Office

Kingston 30th April 1843.

I have the honor by command of the Governor General to request that you will be pleased to acquaint me for His Excellency's information for what amount and in what species insurances of the Centre and West wings of the Public Buildings at Toronto have been effected by Kings College Council in terms of the minutes of the late Governor General in Council permitting them the use of these buildings on condition of their keeping them insured.

I have &c

Signed J. H. H. H.

Dear Sir,

Enclosed please find

H. C. C. C.

30th May 1843.

I have the honor in reply to your letter of the 25th Ult^o requiring information respecting the insurance of the Public Buildings at this place, to inform you that the Centre and West wing of these buildings were insured by the Council of Kings College in the British America life and fire assurance office on the 14th April 1842 for £8000 - - - - - being £5000 on the Centre building & £3000 - - - - - on the West wing and have also to state that the premium on this insurance for the current year was paid on the 13th Ult^o.

I have &c

Signed H. B. B.

Dear Sir,

Enclosed please find

Yours faithfully

Secretary's Office

Kingston 1st May 1843.

I have the honor by command of the Governor General to request that you will at your earliest convenience furnish me for His Excellency's information with a statement of the affairs of the University of K. C. and also of H. C. C. for the years 1839

1840.. 1841 & 1842 containing a detailed statement of the amount paid for tuition fees in Upper Canada College the number of Pupils and the number if any educated gratuitously, the amount paid for Board with the number of Pupils at the Boarding House - And a statement of the arrears due, if any, with the names of the parties indebted to the College -

I have

signed Jas Hopkirk
Asst Secy

25

James Hopkirk Esq

Asst Secy

Sir.

Kings College Office

20th May 1843.

I have the honor to acknowledge your letter of the 1st instant requesting me by command of the Governor General to furnish for His Excellency's information a statement of the affairs of the University of Kings College, and also of Upper Canada College for the years 1839, 40, 41, & 42 - containing a detailed account of the amount paid for tuition fees in Upper Canada College, the number of Pupils and the number if any educated gratuitously also the amount paid at the Boarding House and a statement of the arrears due if any with the names of the parties indebted to the College -

In obedience to His Excellency the Governor General's command, I have the honor to transmit 11 Returns embracing therein all the points of information required but if any be omitted I shall have great pleasure of supplying the deficiency.

With regard to the lists of names attached to Return No 9 I would

respectfully submit for His Excellency's
consideration that many of the parties
whose names appear on these lists
of arrears due to W. C. College on the
31st of December 1842. have since dis-
charged the claims against them and
many of them are only one or two quarters
in arrears so have scarcely had an oppor-
tunity of settling their accounts and it
might therefore appear a harsh measure
to give their names to the Public should it
be in contemplation, to bring any such list
before Parliament.

In respect to the Motion N^o 4
on the Charge of the College to the arrears
of the Royal Grant in aid of the Building
fund I beg to observe that Lord Lyttonham
proposed to take up this subject but the
great press of business at the time inter-
fered to divert his attention from a
matter of such minor importance.

To the justice of this claim
which was only postponed till the College
Buildings should be in progress I
devote respectfully to draw His Excellency
the Governor General's attention, a large
portion of the edifice for the purposes
of the University is being erected and
the payment of so large a sum would
prove a seasonable relief to the funds
of the Institution and would at the same
time be carrying into effect the gracious
intentions of his late Majesty George the
fourth our Reverend, Founder.

I have &c

(Signed) J. V. B. G.

Barrister at Law

Hans

Sir

Toronto 5th April 1843.

Wm. H. Smith.

The Council of H. C. having at their meeting of yesterday requested that I as Colleague to the University would furnish them with my opinion as to the right of the Rev. James Beaven to take a seat at the Council said as a member thereof by virtue of his appointment as Professor of Divinity Metaphysics and moral Philosophy in the College.

I have the honor to state for their information my opinion - that as the 7th Wm 4th Chapter 16 enacts that the members of the College Council including the Chancellor & President shall be 12 in number of whom the Speakers of the two Houses of Legislature of the Province and His Majesty's Attorney & Solicitor General for the time being shall be four and the remainder shall consist of the 5 Senior Professors of Arts and Faculties of the said College &c. &c.

The question arises is the Reverend Mr Beaven one of the 5 Senior Professors?

I believe there are but two Professors as yet appointed, but supposing there to be more than 5 already appointed I know of no other method of ascertaining their seniority than by a reference to the date of their respective appointments.

I beg to remark however that as the College Council is now full to the number of 12 authorized by the before mentioned Statute and as the Charter authorizes the Chancellor to decide in each case what particular Member of the Council not holding the office of Professor shall vacate his seat upon the admission of any new member holding such office, it is my opinion that the Council cannot admit any Professor to a seat in the Council until the Chancellor shall have decided what members not Professors and not named in

in the above mentioned act of Parliament shall vacate their seats so as to prevent the whole number of Councillors exceeding twelve the number limited by the act.

I have &c &c
Signed H. Boyd.

To
Mr. H. Boyd
Hon. Secy.

H. C. C. Toronto

27th Sept 1843.

I have the honor to enclose the Minutes of the Proceedings of the Council of H. C. at a meeting held on the 25th instant for the purpose of their being submitted for the information of His Excellency the Governor General Chancellor of the University.
Signed H. Boyd

To
J. M. Higginson Esq. Sir,
Privy Secretary, &c

H. C. C. Toronto.

5th October, 1843.

I have the honor to enclose the Minutes of the proceedings, at the Council of King's College at a special meeting held yesterday, for the purpose of their being submitted for the information of His Excellency the Governor General Chancellor of this University.
I have &c. (signed) H. B. Secy. H. C.

To
J. M. Higginson, Esq. Sir,
Private Secy. &c

H. C. C. Toronto.

5th October, 1843

I have the honor to enclose you the Minutes of a Council of King's College held on the 6th inst. for the purpose of their being submitted for the information of His Excellency the Governor General Chancellor of this University.

I have &c. (signed) H. B. Secy. H. C.

From
J. M. Higginson, Esq.
Private Secy.

Gov. House, Oct. 5. 1843.

In the Minutes of the Council received with your letter of the 27th ult. His Excellency observes it stated that you were directed to discharge a loan of £6500 from the H. C. Bank by the transfer of debentures, and desires me to enquire what these debentures were, and whether they were available at the time the money was borrowed from the Bank or have since

become so.

I have the honor to be dear

(signed) J. M. Higginson

To

Sir,

K. C. O. 10th October, 1848.

J. M. Higginson, Esq.

Priv. Secy &

I have the honor to acknowledge the receipt of your letter of the 5th inst. wherein you state that His Excellency has observed that I have been directed to discharge a loan of £6500 from Upper Canada Bank by a transfer of Debentures, and that His Excellency desires you to enquire what these Debentures were & whether they were available at the time the money was borrowed from the Bank or have since become so.

In reply I beg leave to inform you that it has been customary with this Corporation to invest their surplus receipts beyond their expenditure, in Government Debentures, and that the Debentures in question had been acquired in that manner. — we still hold about £27,700, in similar Debentures — You will perceive they were available at any time. The reason for not using them when the loan was made arose out of the uncertainty of the claims coming against us & a consequent hope that we might be able to discharge the debt from our surplus receipts without parting with these securities, which are not always to be purchased in the market when wanted.

H. B. Boylston Esq.

I have &c. H. B. Boylston, K. C.

To

Sir

K. C. O. T. 12 Oct. 1848

J. M. Higginson Esq.

Priv. Secy &c.

I have the honor of enclosing the minutes of the proceedings of the Council of King's College at an adjourned meeting held on the 9th inst. for the purpose of their being submitted for the information of His Excellency the Governor General Chancellor of this university. I have &c. H. B. Boylston.

To

Sir

K. C. O. Toronto 13th Oct. 1848.

J. M. Higginson Esq.

Priv. Secy

I have the honor to enclose you the 3rd minute of the Proceedings of the Council of K. C. on the 9th inst. with the Report referred to therein which I am directed to request you will have the goodness to submit for the special consideration of His Excellency the Gov. Genl. Chancellor of the University.

Signed H. B. Boylston.

October 17th 1843.

M. Stigginsen Esq. sent to M. Stigginsen the minutes
 President of the Council of the 12th Instant.

Dear Sir,
 M. Stigginsen Esq. 100th Street Oct. 14th 1843

With reference to your reply to
 my letter of the 5th I am desired by His Excellency
 to enquire whether the surplus receipts therein
 mentioned as being invested in Government
 securities, whether income or mixed general bonds
 deriving from the sales expected or from other sources
 that may be considered capital. I beg to add
 that His Excellency's object in asking this question
 is that he may be enabled to contradict a rumour
 now in circulation to the effect that a portion
 of the Capital of the University funds is being
 or has been expended, ~

I have &c &c
 Signed, M. Stigginsen

Dear Sir,
 H. C. O. Toronto 1843.
 M. Stigginsen Esq.

In reply to your letter of the 14th Instant
 I beg to state that the surplus receipts alluded to
 consisted of the excess of our receipts of every
 description taken together beyond our expenditure.
 In our accounts, all monies paid in, whether
 from the sale of land - from rents from interest
 or purchase money or from any other source
 are entered on the side of receipts and on the
 other side are entered, all payments under the
 head of Disbursements and when we have a
 surplus of receipts to our account it is invested
 in Government Securities ~

As it appears from the latter part
 of your letter that the object of His Excellency is
 to ascertain whether we have been or are now
 expending beyond our income and are encroaching
 upon our Capital. I beg leave to say that the
 annual expenditure in the management of the
 College estate together with the annual expenditure

on the Establishment of U. C. College have ever been considerably within the income actually collected from Rents and Interests, which constitute the true income. A large amount of income that is of Rents & Interest is in arrears, but hitherto, for the annual Charges of these Establishments, we have kept considerably within the income actually collected. And allow me to add that our income properly so called is also equal to provide a very liberal Establishment for the intended University. This I have endeavoured more clearly to exhibit in the document No 11 of the Financial Return I transmitted to Mr Hopkirk for his Excellency's information on the 20th of May last.

— Besides the annual expenditure of our Establishment we have erected the Buildings of U. C. C., have purchased a site for the University and have advanced a large sum to the Contractor for the new Buildings of the University. These great outlays could not be made wholly from our income and our surplus from whatever source derived has been made to contribute towards them. But I submit that these are legitimate objects for the expenditure of Capital. Had we not erected the Buildings we must have hired others in their stead: and the land we have bought might be sold again with great advantage if we wished to part with it. It is therefore but a transfer of Capital in another form and this is the only way in which we can be said to have encroached upon our Capital.

Our income at this moment is sufficient for the annual expenditure of the College, U. C. College, and the contemplated University. The expenditure upon the Buildings must be made from the future sales of the Estate and from the best calculations I can make an outlay of from £30,000 to £40,000 will be paid off in

in 1843 or 1844, and our present income
 remaining untouched. I have &
 signed. F. Boys.

I have
 S. M. Higginson Esq
 Dear Sir
 I am commanded by the Chancellor
 to acquaint you for the information of the Council
 of King's College that the Chancellor has accepted
 the resignation of the Rev. C. Matthews late first
 Classical Master of W. C. College. I have &
 signed. M. Higginson

I have
 S. M. Higginson Esq
 Dear Sir
 I am directed to state for the information
 of the Council of King's College that it is the wish
 of the Chancellor is pleased to nominate
 Rev. Wm. Darron Esq. to be first Classical
 Master of W. C. College. Mr. Matthews resigned.
 Rev. Henry Ladd Esq. M. A. to be second
 Classical Master vice Darron, promoted
 Wm. Harwood Esq. to be third Classical
 Master vice Ladd Esq. I have &
 signed. M. Higginson

I have
 S. M. Higginson Esq
 Enclosing the Minutes of Council held on
 Private Secy the 18th Instant.

I have
 S. M. Higginson Esq
 Enclosing the minutes of Council held on
 Private Secy the 20th 23rd 24th and 25th Instant.

I have
 F. W. Barrow Esq
 Enclosing extract from the minutes
 of Council held on the 27th Instant
 Geo. Maynard

To

H. C. C. T. 28 Oct. 1843

J. M. Higginson Esq.
Priv. Secy.Enclosing minutes of Council held on the
27th October 1843.

To

H. C. C. T. 28 Oct. 1843

J. M. Higginson Esq. Sir,
Priv. Secy.

I have the honor to enclose an extract from the Minutes of the Proceedings of the Council of King's College at a special meeting held yesterday, the 27th Inst., together with a copy of the minutes of the 26th December 1834 alluded to in the S. extract, for the purpose of their being brought under the special consideration of His Excellency the Chancellor. I have &c W. B. Regt. R. C.

From
J. M. Higginson Esq. Sir
Priv. Secy.

Govt House.

23 Oct. 1843.

I am directed by the Chancellor to transmit to you the accompanying Memorial from W. Hayward for the purpose of being referred to the Council of R. C. for consideration as to the relative claims to precedence of the 1st Classical Master and the Mathematical Master in R. C. College I have &c

Signed J. M. Higginson

May it please your Excellency

The following brief statement of Facts is respectfully submitted for your Excellency's consideration

About the latter end of the year 1834 - the Vice Principal of R. C. C. (The Rev. Mr. Smith) became through infirmity of health unequal to his Collegiate duties. The Council therefore with the sanction of Sir John Colborne the Lieutenant Governor concluded to grant him a retiring pension of about £100 per annum to abolish

from the Office of Vice Principal with the additional
 the second and third Masterships attached thereto, and to create at
 the same time a third Classical Mastership;
 which on the retirement of Dr. Phillips
 was aimed to be filled up. Application was
 then made to Mr. Dade (the Mathematical
 Master) to know what might be his feelings
 on the subject and whether he felt disposed to avail
 himself of the promotion to which by seniority
 he appeared naturally entitled - Mr. Dade being
 a gentleman of unusually retiring habits
 and not feeling disposed to incur the respon-
 sibility of a department to which he had
 never been appointed, peremptorily refused
 (as he expressed it) to have anything to do with
 the Vice Principalship or Principalship either
 and he accordingly voluntarily relinquished
 his claim in favor of Mr. Matthews the
 2nd Classical Master who consequently secured
 the appointment under these circumstances
 the second Classical Mastership necessarily
 became vacant the 3rd being at that time
 filled by Mr. Barron a gentleman who had
 previously been residing in the Province
 not being a graduate of any University
 but of some standing as an undergraduate
 in the University of Cambridge; whether
 Mr. Barron made any application
 for the situation of 2nd Classical Master
 he was however, not appointed to that office;
 and the Principal Dr. Harris, having been
 defeated by the Council as to do, requested his
 friends the Regius Professor of Greek and the
 Rev Mr. Cusack of Trinity College Cambridge
 kindly to supply the deficiency as soon as
 practicable. During the course of the ensuing
 year, & as a graduate of the first class of
 honors was selected from a number of other
 candidates and appointed to the situation

of 2nd Classical Master & therefore relinquished the care of St. Sepulchres in the University of Cambridge with every other prospect and sailed for Canada. At the expiration of about 2 years Mr Dade (the Mathematical Master) having before expressed his intention of so doing, resigned his situation and there being no one in the Institution competent to fulfil its laborious duties I was earnestly pressed by Dr. Harris to take the situation which Mr Dade had vacated. Knowing that the whole Mathematical Department devolved on one individual alone, and that its responsibilities were much more arduous than those of the situation I then filled, and which I had no inclination whatever to relinquish, I twice refused to accede; but was however at length prevailed on to accept the situation in consideration of the great difficulty of securing a substitute and the length of time which would intervene ere the vacancy could possibly be filled up. And this I did without the remotest idea of, or the slightest anticipation that such a step would incapacitate or debar me from the possibility of promotion to which in the course of time I might possibly have a claim. The very idea of such a probability would have most effectually prevented me from acceding to Dr. Harris's proposal especially as the prospect of promotion in course of time formed the principal inducement to the serious sacrifice I had made in relinquishing my home, my country and expectations by no means unpromising.

In course of time Dr. Harris our respected and accomplished Principal

from whom we were not by our committing attention to the duties of his office and the interests of the Institution. He retired also to the great and general regret of Masters and Pupils being succeeded by W^m W. Carl who filled the office of Principal of Upper Canada College for about 4 years.

Having by the way's predecessor having as I have been pleased to appoint the Rev. W. W. Carl to the situation of Vice President of Kings College and W. Matthews having (as it was generally understood) secured that of Principal of N. C. College, I immediately in April last I think, submitted an application to the President and Council of N. C. expressing in my sentiments of standing & a competency for the office which I may without presumption consider unquestionable and praying for the appointment of first-classical Master, without being aware of any want of due formality in the mode of application in as much as on all former occasions it had been usual so to do.

About the beginning of October I received a notification from the College Council to the effect that my application had been read and the consideration of it postponed - In the mean time Mr. Matthews resigned his situation, and from that period to the present I have been anxiously awaiting something in the way of a reply to my former application.

On Friday last I was assisted by one of the servants of the Institution who seemed anxious to know what could possibly be understood by indications he had heard given by Mr. Barron relating to the house lately occupied by Mr. Matthews for that he intended to take possession of it, he said, on Monday (this day)

supposing that he had obtained possession
 of it from Mr. Mc Caul for temporary pur-
 poses; yet considering the affair one of
 some delicacy. I was repairing at the
 conclusion of the morning duties, to the
 Bishop's residence to appeal against what
 I could not but consider prejudicial to
 me unanswered application and on my
 way encountered Mr. Mc Caul to whom I
 mentioned the matter, and enquired whether
 Mr. Barron had any authority for such
 a proceeding. He replied Mr. Mc Caul
 Mr. Barron has been appointed 1st Clerical
 Master. Did you make any application?
 for your application to the Council of St. C.
 was of course quite informal. I stated
 that such had till now been the usual
 method of proceeding. To which he replied
 it may be possible that some other
 matters had been transacted in a more
 irregular manner ere then. But that
 under all circumstances Mr. Barron's
 appointment had been granted by
 His Excellency and sanctioned by the
 Council. Was it supposed possible, I said,
 that Mr. Barron had been allowed to
 take precedence of me, or that if so I could
 possibly remain in the Institution? Why
 I added had Mr. Barron not immediately
 done so, why have I been kept so completely
 in the dark at the most important epoch
 of my life, for it was only by a circumstance
 the most casual that I was informed of the
 fact of his having been about to take possession
 of the house lately occupied by Mr. Mathews.
 I observed that I should lose no time
 in appealing to your Excellency in a matter
 of so much moment to my future prospects
 and having obtained leave of absence departed
 the same hour for Kingston.

I now on the present occasion mention to you
 what I suggested in my first appli-
 cation to the Council of Kings College - as soon
 a substitute in case of my promotion or resignation
 would be a difficult and tedious matter and
 the interests of the institution must necessarily
 suffer. I am therefore not unwilling still to incur
 the obvious responsibilities of the Mathematical
 Department, and have no wish to interfere
 with any arrangements which may have
 been already made. Provided only, I can
 secure my precedence and the house in which
 Mr. Matthews resided - The Mathematical
 Master took precedence of the Greek Classical
 Master at the opening of the Institution, there
 would therefore be nothing unusual, no
 want of precedent.

I have the honor to be with the
 greatest respect your Excellency -

Most Obedt &c

To His Excellency

Signed Geo. Maynard,

2^d 2^d

From My Lord President,
 and Gentlemen.

Thursday

Sept. 27th 1843.

I am addressing you on the
 present occasion. I beg respectfully to
 present to your consideration a brief
 statement of circumstances, in relation
 to the recent appointment of Mr. Barron
 to the office of 1st Classical Master, under the
 idea that my claims to promotion have been
 unintentionally overlooked. In order to render
 my statement as clear and explicit as possi-
 ble. I may observe that my object in thus
 addressing you is (under the circumstances
 as they now exist) merely to establish my
 claims to the precedence I have always held
 together with the privileges attached thereto, also
 as it is by no means my wish to see Mr. Barron

appointment cancelled, and to this effect I shall endeavour to show.

1. That in making the appointment which has rendered the matter of precedence questionable, His Excellency was not fully nor correctly informed of the real state of affairs existing at the time - as to the nature of subsisting precedents, and the sequence of promotion.

2. That considerable misunderstanding and ambiguity still exists as to the real nature of such precedents and the importance to be attached to them.

3. I would wish to lay before you a brief series of facts tending to show that I am not without strong claims to promotion.

4. That the Mathematical Superintendent Ex Officio and from the peculiar detail of that Department has a natural prior claim to the office of temporary General Superintendent. During the accidental absence of the acting Principal, and shall conclude by praying only that by virtue of such claims, the system originally established at the opening of the Institution be again enforced, and that the Mathematical Master may again take precedence of the 1st Classical Master and thus be relieved from the indignity and disgrace of being after a service of 9 years superseded by a Junior Officer -

1. That in making the appointment which has rendered the matter of precedence questionable - His Excellency was not fully nor correctly informed as to the real state of affairs existing at the time as to the nature of existing precedents and the sequence of promotion, will appear, I think from the

unpleasant circumstances.

His Excellency having been pleased to appoint the Rev. Mr. McCune to the situation of Vice President of King's College and Mr. Mathew having as it was generally understood secured that of Principal of N. O. College. I immediately (or about last I think) submitted an application to the President and Council of King's College praying for the appointment of 1st (Classical Master) without having been informed that it had pleased the viceregal authorities to make a complete modification of the mode of application which had originally subsisted at the period of my second appointment in the Institution and according to which all applications submitted to the Council were laid before the Lieut. Governor for his sanction and approval. About the latter end of September I received a notification from the Council to the effect, that my application had been read, and the consideration of it postponed, which I attributed, and I believe rightly to the fact of Mr. Mathew's appointment remaining unconfirmed. In the mean time that gentleman having resigned his situation I naturally looked forward to something in the way of reply to my former application which as I conceived still remained valid.

On the 20th instant by a circumstance the most casual I was given to understand that Mr. Warron was about to take possession of the house in which Mr. Mathew resided and on my way to the Lord Bishop's residence (whither I was repairing to attend a parish council which I could not well consider prejudicial to my yet unanswered application) I encountered Mr. [unclear] who informed me for the first time that Mr. Warron had been appointed by His Excellency and that the matter was completed, that my

application was quite informal, that I had in fact made no application, that many other things had ere then been done in a very irregular manner, and that it was not the duty of the Council to offer me any admissions on the subject; feeling satisfied that His Excellency would never have sanctioned an injustice as I deemed it; & that nature requested leave and departed for Kingston, in an interview which I had, with His Excellency I discovered, that my application had not been forwarded. That he had heard of me as Mathematical Master. That no advantage whatever being as he was told attached to the appointment and that therefore an act of injustice being scarcely admissible he had granted the appointment to Mr. Parnon, but that the matter of precedence was a distinct question of which no one could be deprived not by any means depending on the character of the department to which he might have been appointed, and that there certainly could be no objection whatever to the Mathematical Master still retaining the precedence he had hitherto enjoyed -

On my return I understood from the Rev. Dr. McCaul who had had an interview with His Excellency during the previous week that he had and would continue to advocate the cause of the 3rd Classical Master over the Mathematical upon what grounds he did not distinctly say - other than the system being more particularly Classical a Classical Master should at all events be promoted. I merely observed what I propose to show more fully hereafter, that the system being established and the number of hours devoted to each department determined, the matter

From
the Government

or precedents could scarcely affect the
distribution of the subjects and the hours
devoted to each, unless from the peculiar
detail of the Mathematical department a
superior general Superintendent might
be exercised, in that officer with less
interference to his own peculiar depart-
ment, than any other officer of the Institution

5) That considerable misunderstan-
ding and ambiguity exists as to the real
nature of such precedents, and the importance
to be attached to them will further appear
from the following considerations, which
pertains to the present, which the list
perhaps included among the minutes of the
Council had none I would take the
liberty humbly to suggest that in a youth-
ful institution like Upper Canada College
during the existence of which important
modifications have taken place it would
I think, be scarcely just to select one of
two precedents, perhaps, as indicative of
the course to be pursued on any question
like the present where from the peculiarity
of circumstances a slight deviation from that
one precedent in favor of the other was indi-
cated by common sense and justice.

The Minutes of the Council
may be authentic sources of information
with those on other matters of equal
importance not included, in the documents
of the Institution.

It appears then that from
about 6 years from the establishment
of Upper Canada College, the Mathematical
Master Mr. Hade took precedence of the
Classical Masters and that without having
filled a Classical situation, that about the
latter end of 1834 the Vice Principal of

Upper Canada College (the Rev. Dr. Phillips became though infirmity of health unequal to his Collegiate duties, the Council therefore with the sanction of Sir John Colborne the Lieutenant-Governor concluded to grant him a retiring pension of about £100 per annum, to abolish the title of Vice Principal with the additional emolument attached thereto and to create an additional Classical Mastership which on the resignation of the Rev. Dr. Phillips became in consequence open to all applicants without any restriction whatsoever. Application was then made to Mr. Wade to know what might be his feelings on the subject and whether he felt disposed to avail himself of the promotion to which by seniority he appeared naturally entitled. Mr. Wade being a gentleman of unusually retiring habits and not feeling disposed to take upon himself the responsibility necessarily devolving on the 2nd Master of the Institution refused as he expressed it to have anything to do with the Vice Principalship or Principalship either and he accordingly voluntarily, as a matter of unfortunate circumstance, relinquished his claims in favor of Mr. Matthews his second Classical Master. Mr. Wade having thus waived his claim to Precedence and promotion, Mr. Matthews was appointed and as Senior Officer hereafterward enjoyed the privileges naturally attached to and arising out of his newly acquired seniority and Precedence, and not in any means from the idea that the Precedence of one Mathematical Master over five Classical Masters required such an interposition in favor of the Classical Department at all necessary. It appears therefore that for about 5 years the Mathematical Master took Precedence of three Classical Masters without detriment to the interests of the Institution and subsequently relinquished

From
18th August.

was obliged to proceed as he was in involved
circumstances at variance with his acquired
habits - that a circumstance so accidental
to a student should be connected with a
precedent is a thing which I think neither
in itself, nor with truth justice or
common sense; errors which will not be
be considered too trivial, when it is considered
how important all the interests of our now
education -

I should wish to say before you
a brief series of facts, desiring to show that
I am not without strong claims to promotion.
The death of the 3rd Classical Master and
the death of the 3rd Classical Master - in two
situations became vacant at or about the same
period of time, and in a few months subsequent
to the death of Mr. Mathews, the situa-
tion of 3rd Classical Master was filled by Mr.
Darrow, a gentleman who had previously
settled in the Province, who had therefore
furnished no prospect with a view to
promotion in the Institution, not being a graduate
of any university - whether Mr. Darrow made
any application for the situation of 3rd Classical
Master I am not aware, he was however
not appointed to that office and the Principal
(Mr. Harris) having been deputed by the Council
to do so. Requested his friend the Rev. Professor
of Greek and Heb. Mr. Carns Fellow of Trinity
College in Cambridge kindly to supply the
situation as soon as practicable. Having the
evening near as a graduate of the first class of
honors I was selected from a number of other
candidates and appointed to the situation
of 3rd Classical Master in Upper Canada
College, accordingly relinquished the care
of St. Andrew's in the University with every
other prospect and sailed for Canada -

at the expiration of about 2 years Mr Wade
 the Mathematical Master) having before expressed
 his intention of so doing, resigned his situation
 and there being no one in the institution com-
 petent to fill the duties of Mathematical
 Master I was earnestly pressed by Dr Harris
 to take the situation which Mr Wade had vacated
 throwing that the whole Mathematical Depart-
 ment devolved on one individual alone
 and that its responsibilities were much
 more onerous than those of the situation
 I then filled and which I had no inclination
 whatever to relinquish - I twice refused to
 accede but was at length prevailed on to
 accept the situation in consideration of
 the great difficulty of securing a substitute
 and the length of time which would inter-
 vene ere the vacancy could be filled up, and
 that I did without the remotest idea of or
 the slightest intimation that such a step
 would incapacitate or hinder me from the
 possibility of promotion, to which in the course
 of time I might possibly have a claim -
 The mere idea of such a probability would
 have most effectually prevented me from
 acceding to Dr Harris's proposal especially
 as the prospect of promotion in the course
 of time formed the principle inducement
 to the serious sacrifice I had made in
 relinquishing my Home, my Country, and
 expectations by no means unpromising.

It appears then that since the
 period that I filled the office. Whence
 Mr Barron has been promoted I have had
 the additional experience of six years in another
 department over which I was deemed ^{fit} to be
 placed a department involving much greater
 and more general responsibilities, the inspection
 and superintendence of all the Upper, together

2nd
 3rd

3rd
 4th

with the practical or commercial forms a
 department of inestimable importance is
 a Practical, Commercial Province like Canada
 the province of our most useful practical
 men in every operative grade and profession
 And that I shall endeavor to ~~illustrate~~ ^{show} that
 such a choice of duties which I am in the present
 condition of the Institution devolves on the
 Principal himself, with the exception of the
 French Department, that I am not improp-
 riately that also, that under our indication, so
 useful, so desirable an accomplishment
 would not languish for want of encourage-
 ment I can prove by testimony the most
 unexceptionable.

4th and lastly I propose further to show
 that the Mathematical Master in officio and
 from the peculiar circumstances and detail of
 that department has a natural prior
 claim to the office of temporary general
 superintendent during the unseasonable absence
 of the Acting Principal

1st I wish to meet the exigencies of the
 Mathematical department, so important
 to science, so valued and prized by the
 majority of our population, yet so laborious
 to generate an interest in the same and
 to carry into it as it were with the counteracting
 influence of no less than five Classical masters
 the Mathematical master stands alone. It is in-
 consistent with the interests of the institution,
 of the Country, that his hands and his
 influence should be strengthened -

2nd The Mathematical Master is the
 only Master, who has had under his particular
 inspection, and is consequently familiar
 with the whole of the Upper School

3rd and lastly - I would call your particular
 attention to the very peculiar relation existing
 between the respective duties and hours of

occupation of Principal and Mathematical
Master, where it will appear that in the
present state of the institution (that is the
yth form being nonexistent; a form unknown
in our Public Schools at home) the Mathematical
Master may fulfill all the duties of the Acting
Principal without interfering with one of his
own. There needs no change of system
no modification in any department; under
existing circumstances the absence of a Prin-
cipal could interfere with no one responsibility
the subjoined scheme or detail
your attention is humbly and earnestly
solicited.

Engagements of

Principal			Mathematical Master		
Days	Divisions	Occupation	Days	Divisions	Occupation
Monday	1	Nothing	Monday	1	8 th form
	2	" "		2	4 th form
	4	1 or 4 th form		4	Nothing.
Tuesday	1	Nothing	Tuesday	1	5 th form
	2	" "		2	6 th form
	4	2 or 5 th form		4	Nothing
Wednesday	1	Nothing	Wednesday	1	6 th form
	2	" "		2	Nothing.
Thursday	1	Nothing	Thursday	1	6 th form
	2	" "		2	5 th "
	4	3 or 8 th form		4	Nothing
Friday	1	Nothing	Friday	1	5 th form
	2	" "		2	4 th "
	3	" "		3	6 th "
	4	" "		4	"
Saturday	1	Nothing	Saturday	1	5 th form
	2	" "		2	4 th form

From the subjoined detail of the
Relative occupations of the Principal and
Mathematical Master it cannot but
appear that the Mathematical Superintendent
has (coequalibus paribus) a strong natural claim

It is impossible to that particular standing
 the Chairman on which he might be expected to exercise
 the same being the general temporary super-
 visor of the whole Institution.

I humbly conceive, then, My
 Lord President, and Gentlemen, that had his
 Excellency the Governor General received
 my application in time.

Had he known that I was a candidate for
 the situation of 1st Classical Master,
 Had he been allowed a reasonable time to
 determine the circumstances of the case or
 opportunity to ascertain the existence of
 precedents, of which from the amount of
 the ~~enrolments~~ ^{enrolments} attached to the several
 situations, he seemed entirely unaware.
 Had he been aware of the extreme deli-
 cacy and importance attached to that precedent
 of which he knew not the existence;
 Had he foreseen that advantages of a very
 important nature were connected with
 the office of 1st Classical Master, when precedent
 was not questionable;

Had he known that the appointment once
 established, that precedent and its concomi-
 tant privileges would become a questionable
 matter;

Had opportunity been allowed to ascertain
 if any and what regulations determined,
 the sequence of promotion.

Had he known how few precedents and
 how many modifications were on record;

Had he been aware of the circumstances
 under which Mr. Pade remained stationary
 and culpably neglected to take the precedence
 due to his successor at least;

Had he been informed that I had been
originally appointed to and had filled for
upwards of two years the situation which

Mr. Barron has only vacated, and that Mr. Wade had filled no classical education;

Had he been informed of the many arduous and extensive responsibilities attached to the office of Mathematical Master;

Had he glanced at the scheme and detail of the Principals and Mathematical Department and observed the peculiar harmony & relation between that and the accidental exercise of a general supervision.

Had time been allowed to exhibit testimony the most unanswerable, to the effect that I was most unquestionably competent to superintend every department without exception and to appreciate minutely the progress of each pupil.
Had he been aware how closely, how devotedly, how conscientiously, through popularity and unpopularity, I have remained at my post; and how seldom, how very seldom I have misapplied the hours which were the property of this Establishment.

Had he ascertained with what docility, patience and submission, I had cooperated with my superiors, and that I am now for the first time, communicating with the Council of King's College in the way of expostulation, in spite of the many and bitter grievances I have undergone

Had he suspected how necessary how indispensable it was, to exercise on this occasion the profoundest discernment and clearly to investigate the circumstances of the case - he never, I think, would have been induced by the representation of a verbal conversation to alienate (if I may so say.) the appointment or the precedence, and its immunities -

The Governor General, however, has granted the appointments and I am ~~on~~ no

at
 from amount that that appointment should be
 Mr G. Maynard cancelled - I humbly present myself to
 your consideration, praying, merely, that the
 system originally established, that is, at the
 opening of the Institution, be again put in
 force; that the Mathematical Master may
 continue to retain his precedence; and that
 a Senior Officer a Graduate of the 1st Class of
 Honors of 13 years standing and eight
 years a servant of the Institution, may
 not be subjected to the undue indignity
 and disgrace of being superseded by a
 Junior Officer and a Graduate of no Uni-
 versity.

Thine &c

Signed Geo Maynard.

H. C. O. T. 2 Nov^r 1843.

Mr Higginson Esq
 Care of Capt. W.

Enclosing the Minutes of the Council of
 H. C. held on 31st Oct^r and extract
 from the same being Minute N^o 5.

H. C. O. T. 1st Nov^r 43

Mr C. C. Small
 Esq. R. C.

I have the honor to enclose to you in
 each from the Minutes of the proceedings
 of the Council of H. C. at a meeting of
 that body held this day and have to
 request your attention to it with as little
 delay as you can possibly make convenient.

H. C. O. T. 13th Nov^r 1843

Mr Higginson Esq

Enclosing the minutes of the Council
 of H. C. at their meetings held on the 8th 9th
 11th and 13th of the present month -

H. C. O. T. 24th Nov^r 1843

do do

Enclosing the minutes of the Council
 of H. C. at their meeting held on the 18th
 instant -

To
James A. Kirk Esq. Sir,

Kingston 10th Nov^r 1843

It has been usual for the Legislature of this Province to vote \$1000 ^ly annually towards the support of A.C.C. at Toronto, this vote has been renewed to the 31st of December 1843. Will you oblige me by ascertaining whether it has been sanctioned for the year ending the 31st of December 1843. And if so by transmitting to me the usual warrant upon the Receiver General.

I have &c

Yours H. Boyd.

To
John Stratley Esq. Sir,
McGill's Office

To 20 Toronto
20th Nov^r 1843.

The collateral securities required by Mr Gamble in the case of the Messrs Madeworth are the following -

A judgement against Messrs Woodworth and Hamilton for	\$ 500 --
A promissory note of Mr M Harper for	300 --
A judgement & Ex ^{tn} agt ^r Sir A M Nab for	830 --
A promissory note of Rowland Burr for	75 --
" " James Clifford "	123 --
" " " " Cutbush	40 --
Judgement & Execution agt ^r Wm & Geo Chesdale for	500 --

I Remain &c

Yours H. Boyd.

To

Mem^o. 4th Dec^r 1843.

J. W. Wigginton Esq. Sent to His Excellency the Gov^r.
Priv. Secy General the Minutes of the 29th U.A.

To

Sir,

2005 2nd December 1843

Mr R. Beaumont Esq. I have the honor to return you enclosed Prof^r of Surgery your warrant of appointment as Professor of Surgery in the University of R.C. Toronto & to inform you that it was read in the College Council on the 29th U.A. and stands

in the 4th Minute of that days proceedings.

Signed W. B. 1843.

From
 Mr. W. B. 1843.
 Secretary.

Secretary's Office, Kingston
 5th November 1843.

I have the honor by command of
 the Governor General to acknowledge the receipt
 of your letter of the 18th ult. addressed to Mr. Assistant
 Secretary & to request a warrant for
 £1000 the being the annual allowance to
 Upper C College - being the amount for the
 year 1842 and I am to acquaint you in reply
 that the sum in question has been included
 in the estimate laid before the Legislature
 for 1842. but that it has not yet been voted
 and that therefore until this has been
 done His Excellency does not consider
 himself justified in directing a warrant
 for its amount to issue -

Signed W. B. 1843.

Scot.

12
885

314

